

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:14-cv-01716-RMC

MADSEN v. SMITH
Assigned to: Judge Rosemary M. Collyer
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 10/10/2014
Date Terminated: 02/23/2015
Jury Demand: None
Nature of Suit: 530 Prisoner Petition:
General (Habeas Corpus)
Jurisdiction: U.S. Government Defendant

Petitioner

KURT MADSEN

represented by **KURT MADSEN**
345-102
MCRAE CORRECTIONAL
INSTITUTION
P.O. DRAWER 55030
MCRAE HELENA, GA 31055
PRO SE

V.

Interested Party

UNITED STATES OF AMERICA

represented by **Sherri Lee Berthrong**
U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7561
Fax: (202) 252-7559
Email: sherri.berthrong@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Respondent

WILLIAM SMITH

Date Filed	#	Page	Docket Text
10/10/2014	<u>1</u>		PETITION for Writ of Habeas Corpus (Filing fee \$ 0.00.) filed by KURT MADSEN. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 10/16/2014)
10/10/2014	<u>2</u>		MOTION for Leave to Proceed in forma pauperis by KURT MADSEN (rdj) (Entered: 10/16/2014)
10/10/2014			FIAT ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis

			"Leave to file without prepayment of costs GRANTED". Signed by Judge Amy Berman Jackson on 10/8/2014. (rdj) (Entered: 10/16/2014)
10/17/2014	<u>3</u>		ORDER DIRECTING RESPONDENT TO SHOW CAUSE. Signed by Judge Rosemary M. Collyer on October 16, 2014. (cdw) (Entered: 10/17/2014)
10/20/2014			SHOW CAUSE (1) Issued as to WILLIAM SMITH pursuant to Order to Show Cause <u>3</u> . (kb) (Entered: 10/20/2014)
10/29/2014	<u>4</u>		SHOW CAUSE Executed as to United States Attorney General and the United States Attorney for the District of Columbia pursuant to Order to Show Cause <u>3</u> ; Date of Service of show cause order as to United States Attorney for the District of Columbia 10/28/2014 and United States Attorney General 10/17/14. (rdj) (Entered: 10/29/2014)
11/03/2014	<u>5</u>		NOTICE of Appearance by Sherri Lee Berthrong on behalf of UNITED STATES OF AMERICA (Berthrong, Sherri) (Entered: 11/03/2014)
11/05/2014	<u>6</u>		Mail Returned as undeliverable sent to Kurt Madsen. Type of Document Returned: Court's Order <u>3</u> of 10/16/2014. No forwarding information provided; petitioner was released on 9/29/2014. (cdw) (Entered: 11/05/2014)
11/12/2014	<u>7</u>		First MOTION for Extension of Time to File Response/Reply to <i>Petitioner's Petition For A Writ Of Habeas Corpus</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Berthrong, Sherri) (Entered: 11/12/2014)
11/17/2014			MINUTE ORDER granting <u>7</u> the United States' Motion for Enlargement of Time. The United States shall file a response to <u>1</u> Petitioner's Petition for a Writ of Habeas Corpus no later than December 17, 2014. Signed by Judge Rosemary M. Collyer on November 17, 2014. (lcrmc1) (Entered: 11/17/2014)
11/17/2014			Set/Reset Deadlines/Hearings: Response to <u>1</u> due by 12/17/2014. (cdw) (Entered: 11/18/2014)
12/10/2014	<u>8</u>		MOTION to Dismiss <i>Petitioner's Petition For A Writ Of Habeas Corpus</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H)(Berthrong, Sherri) (Entered: 12/10/2014)
01/05/2015	<u>9</u>		ORDER. Petitioner shall file his opposition or other response to <u>8</u> the United States' Motion to Dismiss no later than February 6, 2015. If the petitioner does not respond by this date, the Court may summarily deny the petition for a writ of habeas corpus and dismiss the case. Signed by Judge Rosemary M. Collyer on January 5, 2015. (lcrmc1) (Entered: 01/05/2015)
01/05/2015			Set/Reset Deadlines/Hearings: Response to <u>8</u> due by 2/6/2015. (cdw) (Entered: 01/06/2015)
02/20/2015	<u>10</u>	94	MEMORANDUM AND OPINION. Signed by Judge Rosemary M. Collyer on February 20, 2015. (lcrmc1) (Entered: 02/20/2015)
02/20/2015	<u>11</u>	93	ORDER granting <u>8</u> United States' Motion to Dismiss. The <u>3</u> Order Directing Respondent to Show Cause is discharged. The <u>1</u> Petition for a Writ of Habeas Corpus is denied. This case is dismissed without prejudice. The Clerk is directed

			to mail a copy of the Order to Petitioner. Signed by Judge Rosemary M. Collyer on February 20, 2015. (lcrmc1) (Entered: 02/20/2015)
03/27/2015	<u>12</u>		MOTION for Reconsideration re <u>11</u> Order on Motion to Dismiss, MOTION to Withdraw Dismissal by KURT MADSEN "Let this be filed" by Judge Rosemary M. Collyer (rdj) (Entered: 03/30/2015)
04/28/2015	<u>13</u>		MOTION for CM/ECF Password by KURT MADSEN "Let this be filed" by Judge Rosemary M. Collyer(rdj) (Entered: 04/30/2015)
05/07/2015	<u>14</u>	90	ORDER denying <u>12</u> Petitioner's Motion for Reconsideration, as well as his requests to reopen this action and to serve the respondent. Signed by Judge Rosemary M. Collyer on May 7, 2015. (lcrmc1) (Entered: 05/07/2015)
05/07/2015			MINUTE ORDER denying <u>13</u> Petitioner's Motion for CM/ECF Password as moot. Signed by Judge Rosemary M. Collyer on May 7, 2015. (lcrmc1) (Entered: 05/07/2015)
06/30/2015	<u>15</u>	4	NOTICE OF APPEAL as to <u>10</u> Memorandum & Opinion, MINUTE Order on Motion for CM/ECF Password, <u>11</u> Order on Motion to Dismiss, <u>14</u> Order on Motion for Reconsideration, Order on Motion to Withdraw by KURT MADSEN. Fee Status: No Fee Paid. Parties have been notified. "Let this file as Notice of Appeal." by Judge Rosemary M. Collyer (zrdj) (Entered: 07/02/2015)
07/01/2015	<u>16</u>		MOTION for Leave to Appeal in forma pauperis by KURT MADSEN "Let this be filed" by Judge Rosemary M. Collyer (zrdj) (Entered: 07/02/2015)



14-1716 Kurt Madsen v William Smith, Loretta Lynch Et. .Al. Notice Of Appeal

Kurt Madsen

to:

Judge_Jackson, Leslie.Gerardo, ECF_login, Reggie_Johnson, Tiffany.Gough

06/29/2015 12:51 PM

Hide Details

From: Kurt Madsen <madsen.appellant@gmail.com> Sort List...

To: Judge_Jackson@dcd.uscourts.gov, Leslie.Gerardo@usdoj.gov,

ECF_login@dcd.uscourts.gov, Reggie_Johnson@dcd.uscourts.gov,

Tiffany.Gough@DCD.USCOURTS.GOV

*Let this be
filed as Notice of
Appeal
FM Clerk
6/3/15*

Since the United States District Court for the District of Columbia seems to have a problem filing documents sent through the United States Postal Service USPS, which Suspended my Privilege of Writ of Habeas Corpus from at least September 8, 2014 through October 10, 2014 which allowed my Liberty to be further deprived without Due Process of Law and exiled out of the Article 1 Section 8 Clause 17 District, which makes the Privilege all the more meaningful than MOOT.

Since someone failed to due their duty under Title 5 USC 3331 and provided "Aid and Comfort" to "The Enemy Within" union.

Can one of you at least consider your Article 6 Clause 3 and Title 5 USC 3331 oath and at least try and file this Notice of Appeal electronically since something is obviously wrong with Suspending the Privilege of Writ of Habeas Corpus contrary to Article 1 Section 9 Clause 2 and allowing "officers" un-sworn under any oath, except the IBT union constitution.

Whomever was responsible would be equal in allowing a "warrant" issued by Henry Wirz in June of 1864 to have me returned to Andersonville on September 29, 1864 and continue to deprive me of nutrition. To my knowledge president Obama although swearing upon President Lincolns Bible has not Suspended the Privilege of Writ of Habeas Corpus some 150 years into the future.



Judge Jackson@dcd.uscourts.gov

Leave to file without prepayment

of costs GRANTED

Angela D. Ciesar
United States District Judge

1:cv-01716

To: Collyer, Rosemary M.

Date: 10/10/2014

1: Habeas Corpus/2255

UNITED STATES DISTRICT COURT?

DISTRICT OF COLUMBIA !

KURT MADSEN, Petitioner-Appellant

(NOT A PARTY DULY ACCUSED OR CONVICTED)

V.

WILLIAM SMITH and LORETTA LYNCH ET AL.

THE UNITED STATES IS ALSO A PARTY MISGUIDED BY "FORM"

CAUSE NUMBER 14-1716

NOTICE OF APPEAL

GROUND FOR COA

NOTICE OF APPEAL

Notice is hereby given that Kurt Madsen, Petitioner, in the above named case, hereby appeal to the United States Court of Appeals for the District of Columbia Circuit; the final ORDER for "judicial review" is limited due to Suspension of original Privilege of Writ of Habeas Corpus contrary to Article 1 Section 9 Clause 2

1) Notice of Appeal {[DKT 14](#)} a final ORDER May 7, 2015

DENYING {[DKT 12](#)} Petitioners, March 20, 2015 "MOTION FOR RECONSIDERATION..."

2) Notice of Appeal {[DKT 11](#)} ORDER February 20, 2015 GRANTING {[DKT8](#)} Respondent, December 10, 2015 "MOTION TO DISMISS" {[DKT 1](#)}

3) Notice of Appeal MINUTE ORDER of May 7, 2015 DENYING {[DKT 13](#)} Motion for CM/ECF Password Judge Rosemary M. Collyer's "[standing order](#)" is para materia to Legislation (see Article 1 section 1) and has and is currently abridging

4) Notice of Appeal of decisions which constitute Behavior contrary to “good Behaviour” by Judge Rosemary M. Collyer arbitrary action, including but not limited to denial DKT 12 and DKT 13 allowing the Suspension of the Writ of Habeas Corpus, providing “Aid and Comfort” to “The Enemy Within”

5) Notice of Appeal of utilization of District of Columbia “superior” Court “records” the transformed “justices of the peace” are not Article 6 Clause 3 United States or State Judicial officers.

6) Notice of Appeal relating to “Certification of Service” DKT 8 page 9 it is based upon fraud. The “address” IS NOT my last known address under Rule 5 (b) (2) (c)

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Case = 14-35440, 06/09/2014, ID = 9125846, DktEntry = 4, Page 13 of 17

The United States Attorney RONALD C. MACHEN JR. D.C. Bar Number 447-889 Assistant United States Attorney D.C. Bar Number 419-823 and LESLIE ANN GERARDO SHERRI L. BERTHRONG Assistant United States Attorney D.C. Bar No. 249-136 names all appear on the December 10, 2014 pleading which utilized documents from PACER. Establishing a PACER account is beyond a preponderance of the evidence, I have consented in writing to receive service by electronic means, notwithstanding “Rule of Flaw”.

7) Notice of Appeal regarding “warden” Smiths Lack of Jurisdiction, although erroneously arrested by the United States Marshals Service and Prosecuted by the Attorney General of the United States. I was “transferred” to the “custody” of William Smith and “held to answer” in a “metropolitan” or corporation facility, who “officers” are neither State nor United States officers entitled to take any oath of support created under Article 6 Clause 3. Whom failed to protect my rights. The USMS provides “protection” to the “superior” court of the District of Columbia. I was therefore “transferred” back to the “custody” of the USMS then back to “warden” Smith. Regarding a case captioned United States v Kurt Madsen---“Warden” Smith is indicated as the “Party” due to the “Form” indication, However, the USMS had concurrent Custody and the United States is now the Party protecting warden Smith, obviously a mistake in indicating the true Party.

8) Notice of Appeal of Suspension of Writ of Habeas Corpus contrary to Article 1 Section 9 Clause 2 and disregard for 28 USC § 2243

I was arbitrarily removed from the District of Columbia.

The only plausible way is either the Judge is completely corrupt or has little concern for the Constitution of the United States as the “supreme Law of the Land” under [Article 6 Clause 2](#). Or wait Marbury (*Marshall and extending Slavery*) v Madison , 5 US 137 (1803) “say what the law is” has emphatically encroached upon any envisions of “established Justice” “**one supreme Court**” Chief Justice whom violated the doctrine of Separation of Powers and premise of Checks and Balances by acting as the Chief Justice on March 3, 1801 and the Secretary of State, was incapable of claiming a Writ of Mandamus although in reality an “appeal” of an official decision, is unconstitutional as an “original” pleading in the “one supreme Court”, in addition to omitting 18 words after Jurisdiction in Article 3 Section 2 Clause 2, the emphatically emperor evaded Article 1 Section 8 Clause 17 and 18. Which in that particular case involved “justices of the peace” in the District of the Seat of the Government of the United States.

“ambassadors, other public ministers and consuls, and all other officers of the United States, whose appointments are not otherwise provided for” Article 3 Section 2 Clause 2 permits original Jurisdiction “In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction”

When some type of scam is pulled off by scum which have floated, to the top of what they consider societies social pool and undermine what they cannot directly overthrow by injecting the injustice of “justice of the peace”, to allow more scum to swim in societies cesspool, reaping public salaries and pensions, which erroneously permitted 42 “justices of the peace” to subject citizens in the District to “common law” “justice of the peace” is the unconstitutional act, along with reincarnating English “common law” into the Union of the United States was Treason upon the “supreme Law of the Land” and the Article 6 Clause 2 and flat out bad Behaviour contrary to Article 3.

The experiment had only just begun, although Washington’s “Farewell Address” was disregarded until the Civil War, ignited by the ignorance of imbeciles whom repeatedly embraced “estates” and esquires of English “common law” abolished by the “Charters of Freedom” yet Chief Justice Marshalls eloquence in English “common law”, created a Dead Letter to the “supreme Law of the Land”.

In this particular case was whatever Judge Collyer	determines to be the sound
of the instrument. Which is in tune with Tyrants?	She isn’t alone. This must be
the consensus at the judicial conferences held throughout the United States.	

What are the odds of getting caught?

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Judge Collyer's written "Confession in open Court" to Acts of Treason under Article 3

Section 3 Clause 1 will simply be denied a Certificate of Appealability COA or claim under 28 USC 1915 (3) the appeal is not taken in good faith.

"For experience has already shown that the impeachment it has provided is not even a scarecrow"

"The constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist, and shape into any form they please." Thomas Jefferson September 6, 1819.

Who does America send it's condolences regarding the Constitution to the failure of the House of Representatives to impeach for even the slightest and obvious behavior which is contrary to "good Behaviour" required by an Article 3 Judge, or to the Law School which trained such Tyrants and provided a "Law Degree" 180 degrees of the compass course of the "Charters of Freedom".

Perhaps after being impeached lose their sweet but sour to our society pensions, then the scholar of social scum will have their "Law Degree" rescinded and return to their family's plantation.

How else can "We the People" prevent a person who believes they are above the "supreme Law of the Land" from providing "Aid and Comfort" to "The Enemy Within", by refusing to even here the "Rule of Flaw", thereby committing a "party" without being "duly convicted" to "involuntary servitude", abolished by the 13th Amendment, yet "The Enemy Within" is provided repeated "Rule of Flaw" to perpetuate Slavery within the United States and every place subjected to their Jurisdiction.

By subjecting (ME) and masses of other People to Jurisdiction Foreign to our Constitution obviating a principal of the Declaration of Independence, which was reenacted by "Rule of Flaw" English "common law" only available through 7th Amendment civil procedures.

9) Notice of Appeal, total disregard for 28 USC §2246 §2247 and §2250 were abridged to provide the "records" now only "record" for an appeal.

GROUND TO ISSUE 28 USC §2253 COA

- 1) It is obvious Judge Collyer has set the stage for a 28 USC §1915 (3), however, this appeal is taken in good faith.

Repeatedly then the determination annihilates the application.

- 3) In this particular case, I have conducted thousands of hours of research regarding the "rule of law" and unless the Court of Appeals for the District of Columbia is going to overrule its own interpretation upheld upon Appeal to the "one supreme Court" in United States v Moreland, 258 U.S. 433 (1922) then there can be no question regarding the COA.

The clearly established federal law was also determined in:

Ex parte Wilson, 114 U.S. 417 (1885)

~~Mackin v United States~~

Wong Wing v. United States, 163 US 228 (1896)

- 4) The original Privilege of Writ of Habeas Corpus was Suspended along with another Writ of Habeas Corpus filed in the inferior superior court in the District of Columbia.

Which was located through a Washington State "public records act" PDA request attached as Exhibit 1 also located at;

<https://files.acrobat.com/a/preview/3973c9bb-0d8c-4e11-83bc-16d10f02a626>

Another PDA request yielded the Governor's Requisition request Exhibit 2 also located at;

<https://files.acrobat.com/a/preview/55908323-5f82-419f-a030-893f1053ce28>

- 5) The United States allowed "The Enemy Within" to return me to potential "involuntary servitude", which was abolished by the 13th Amendment

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

It seems to defeat the purpose, when the United States becomes a "party", to "fugitive from justice" proceedings to extradite a Person to receive "involuntary servitude" in Washington State, then permits a Persons Privilege of Writ of Habeas

The Assistant United States Attorney evaded the essential elements associated with the Writ of Habeas Corpus, which was suspended lets investigate the facts. The Governors “Requisition” was requested by the Office of the United States Attorney twice once on or about July 31, 2014 and again on September 16, 2014.

YOU ARE DIRECTED TO OBTAIN YOUR GOVERNORS WARRANT AS SOON AS POSSIBLE. IF ANY ADDITIONAL INFORMATION IS NEEDED, PLEASE CONTACT THE MPDC MAJOR VIOLATORS UNIT AT 202-727-4279, AND REFER TO FUGITIVE CASE NUMBER FU#14-1273
PLEASE HAVE YOUR GOVERNORS REQUISITION PAPERS PREPARED TO READ AND BE FORWARDED TO:

OFFICE OF THE UNITED STATES ATTORNEY
555 4TH STREET, NW
WASHINGTON, DC 20530
ATTN: MS. MELVIN

This is the same address as the parties and respondents to the Suspended Privilege of Writ of Habeas Corpus. DKT 8 Pg. 8

Special Proceedings Division
555 4th Street, N.W.
Washington, D.C. 20530
(202) 252-7561

Why the United States Attorneys failed to provided Documents in their position on December 10, 2014 is a matter for a Congressional Investigation. It's very disappointing as a Citizen who sought protection from “The Enemy Within” who influences the DOJ.

Department of Corrections WASHINGTON STATE		SECRETARY'S WARRANT	
MADSEN, Karl R.		964228	11-1-10408-3
Offender Name		DOC Number	Cause Number
DOB 3/6/1969	Sex Male	Race White	FBI 2645112A6
			SSN 535-74-5643
TO ANY SHERIFF, POLICE, PEACE OFFICER, LAW ENFORCEMENT OFFICER, AND COMMUNITY CORRECTIONS OFFICER:			
There is reasonable cause to believe the above named person, having been convicted of a felony or misdemeanor in a Superior Court of the state of Washington, and committed to the custody of the Department of Corrections, has violated a condition of Community Custody. Pursuant to RCW 9A.631 and RCW 9A.64A.016, you are authorized and directed to arrest the offender and place him or her in total confinement pending disposition of the violation. Offenders shall be detained in a county jail or equivalent local correctional facility. If detention in a county jail or equivalent local correctional facility is not available, the felony offender may be placed in a state correctional facility. Misdemeanor offenders shall not be placed in a state correctional facility.			
SEX OFFENDER EXCEPTIONS			
<input type="checkbox"/> The offender is serving a term of Community Custody imposed pursuant to the sex offender sentencing alternative, and shall be detained in a county jail or local correctional facility.			
<input type="checkbox"/> The offender is serving a term of community custody for a sex offense committed on or after June 8, 1996, and before July 1, 2000, and having completed the maximum term of total confinement, shall be detained in a county jail or local correctional facility.			
NOT SUBJECT TO BAIL. DAY OR NIGHT SERVICE AUTHORIZED			
Louise O'Connor Community Corrections Officer		06/16/2014 Date	

This is the "warrant" on pg. 10 of the Exhibit 2:

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Document #1561872

Filed: 07/10/2015

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This is Ground 2 in Exhibit 1 of the inferior superior District Court Privilege of Writ of Habeas Corpus which according to Exhibit 3 was received by the inferior superior Chief Judge Satterfield himself.

<https://files.acrobat.com/a/preview/c15823bc-4017-48ff-8b3c-a498f3525f31>

In Exhibit 2 pg. 13 it becomes clear who Leslie O'Conner is;

I certify or declare under penalty of perjury of the laws of the state of Washington that the foregoing statements are true and correct to the best of my knowledge and belief.

Submitted By:

Approved By



9/15/14

Date



Date

Leslie O'Connor
Community Corrections Officer
Seattle Metro 2
1550 4Th Ave. South, Ms:Tb-12A
Seattle WA 98134
Telephone: (206) 516-7783

Kathleen Johnson
Community Corrections Supervisor

Leslie O'Conner is a member of an affiliation of "The Enemy Within" since she has failed to assent to support the United States Constitution as an officer for Washington State.

Although I demanded accusation by a Grand Jury in the Washington State inferior superior State Court, the "Judge" refused it appears those facts are immaterial. If someone is in the opinion otherwise feel free to access to documents I have uploaded to Adobe Acrobat DC cloud.

10-11-12-26-2011 Verbatim Report of Proceedings VRP Digitally Recorded then Transcribed

<https://files.acrobat.com/a/preview/7534c830-dcf2-4a91-976a-9c2c7f360979>

The Digital Recordings ended when the Chief Judge Mary Roberts preassigned Barbara Mack, whom was a career King County prosecutor, she would pretend to type out everything said, yet there was a court reporter, I believe the Proceedings are actually digitally recorded the Building was Built in 1996 and has pre-installed microphones at each party's table, the podium, witness stand and the Bench.

The claim is the sound is only amplified, I think there corrupt and there King County court reporters are affiliated with "The Enemy Within" and allow the Reports to be Edited.

11/04-2011 <https://files.acrobat.com/a/preview/74b552e5-fc9c-4780-be7d-7df835c94f6c>

<https://files.acrobat.com/a/preview/482aaf9d-585f-464f-84de-cdaf10639634>

12/1/2011 RP Gas Mask reporter quite the comical site, instead of digitally recording lets pay someone to repeat everything in a face mask, who would question such a **“sound” alternative?**

<https://files.acrobat.com/a/preview/8457fd00-fa24-49cb-8217-df47ed4212fe>

12-2-2011 AM here is where I was forced out of the court so others not being “held to answer” could be heard. Oh and the corporate police “officer” who initiated the “information” was not going to be coming to court.

<https://files.acrobat.com/a/preview/f0d8469e-4acd-4790-b87b-f2ec26efbc49>

12-2-2011 PM 5 ½ hours being locked in a bathroom stall about the same size as the handicap stall at the Marble “one supreme Court”, of course the walls are not Marble and the sink and toilet are not porcelain, you don’t have internet access because all your effects are under siege. However, here is where I emphatically unequivocally demand a pre-trial appeal and refuse to return to Barbara Mack’s Mock court, not only was I going to be denied accusation by a Grand Jury the so called “Judge” was refusing to issue subpoenas or any “Compulsory Process” for obtaining the Witnesses I requested.

<https://files.acrobat.com/a/preview/31179d53-7378-45ab-984d-b494cbdf353f>

Although a hearing was scheduled before the Chief Judge Mary Roberts who preassigned Barbara Mack she has issued a threat of “Drag Order” if I refused to return.

What a SCAM. —————See Exhibit 10

<https://files.acrobat.com/a/preview/086e40a8-4960-42f1-80fc-83f2b9160f8e>

I was denied a pre-trial appeal and threatened, the trial was thereafter a total Mockery to Justice and the “information” was amended to include another “otherwise infamous crime” which was an “infamous punishment” of 18 months without any “good-time”.

Another accusations which the statutes mandate “hard labor” see RCW 10.64.060 and I was denied accusation by a Grand Jury for two “otherwise infamous crimes” of assault in the second degree and malicious harassment, after insisting in the embodied 5th Amendment right embedded in the “supreme Law of the Land”

The [Enabling Act of 1889](#) required the Delegates “Shall declare, on behalf of the people of said proposed States, that they adopt the Constitution of the United States;

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whereupon the said conventions shall be, and are hereby, authorized to form constitutions and States governments for said proposed states, respectively. The constitutions shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said conventions shall provide, by ordinances irrevocable without the consent of the United States and the people of said States:"

Washington States Constitution Article 1 Section 2 SUPREME LAW OF THE LAND. The Constitution of the United States is the supreme law of the land.

What entity would depict themselves as representing the values and principals of George Washington, by continuing in adopting his name which "is Little else than a name" under Washington's "Farewell Address" since all warnings and guidance were evaded by the next administration, which perhaps sent Washington to the Spirit World on December 14, 1799. Ushering in the independence of "one supreme Court"

Bleeding Washington did not save him physically and bleeding Washington dry providing blood-money to "officers" of "The Enemy Within", because the fear the may have invoked after the assassinations of John F. Kennedy in 1963 and both Martin Luther King Jr. and Robert F. Kennedy in 1968, when "The Enemy Within" started invading every jurisdiction within the Union of the United States, through the botched research which was relied upon in the June 19, 1968 Act. It has such an artfully appealing name I hate to give the Department of "Corrections" or the "Community Safety" any more ridiculous titles, the United States Attorney General Robert Kennedy utilized the proper term "The Enemy Within"

The only way to eliminate "The Enemy Within" is through another United States Senate Select Committee on Improper Activities in Labor and Management not 1957 style, which had the Power of at least on devoted Patriot Robert F. Kennedy, who "The Enemy Within" will face in Spirit, and inspire massive amounts of "information" not the invention to commit People to "involuntary servitude" to evade the 5th Amendment accusation by Grand Jury and an ill-fated attempt at circumventing a civilized societies attempts of abolishing the scum societies system of slavery and "involuntary servitude" abolished by the 13th Amendment.

The information available in the datacenters of 2015, and information currently restricted to access by employees of "The Enemy Within" infiltrating state and federal

It is difficult to articulate “The Enemy Within” and address the requirements of 28 USC § 2382.

Obviously “The Enemy Within” is being provided financial “Aid and Comfort” moreover, lobbying for laws to provide further “Aid and Comfort” and receiving “Aid and Comfort” from the Judges whom fail to be bound under the “supreme Law of the Land”

Getting back on course the “Governors Requisition” is making accusations which the DOC has defined in Exhibit 2 pg. 69.

RCW 72.09.310

Community custody violator.

An inmate in community custody who willfully discontinues making himself or herself available to the department for supervision by making his or her whereabouts unknown or by failing to maintain contact with the department as directed by the community corrections officer shall be deemed an escapee and fugitive from justice, and upon conviction shall be guilty of a class C felony under chapter 9A.20 RCW.

Besides the
5 years I

[1992 c 75 § 6; 1988 c 153 § 6.]

can receive for the above cited statute. The “information” reveals 13 allegations in Exhibit 2 the 13th being on pg. 19.

Washington State statute RCW 9.94A.633 allows the following:

(1)(a) An offender who violates any condition or requirement of a sentence may be sanctioned by the court with up to sixty days' confinement for each violation or by the department with up to thirty days' confinement as provided in RCW 9.94A.737.

Therefore 13 violations is 780 Days over 2 years, mandating “hard labor” under RCW 10.64.060 sanctioned by the Court.

It is immaterial the “suggested sanction” was 30 days, a suggestion did nothing to stop imposing an ex post facto sentence in Washington State v Kurt Madsen

“It is what sentence can be imposed under the law, not what was imposed, that is the material consideration. When an accused is in danger of an infamous punishment if convicted, he has a right to insist that he be not put upon trial except on the accusation of a grand jury.” United States v. Moreland, 258 US 433, 441 (1922)

In Wong Wing v. United States, 163 US 228, 234 (1896)

In Ex parte Wilson, 114 U.S. 417, the court said: "Imprisonment at hard labor, compulsory and unpaid, is, in the strongest sense of the words, `involuntary servitude

In 2 Story on the Constitution, § 1924, it is said that this amendment "forbids not merely the slavery heretofore known to our laws, but all kinds of involuntary servitude not imposed in punishment for a public offence."

As indicated I insisted on accusation by Grand Jury, which was refused by the Washington State Court.

I indicated in my pleadings, I was unable to secure relief in Washington State.

Had my Privilege of Writ of Habeas Corpus received Due Process of Law vs. being Suspended, I would have received the necessary relief required under the protections of the "supreme Law of the Land" and even those "Clearly Established Federal Laws as Determined by SCOTUS" I didn't just self-exile to the Seat of the Government of the Union of the United States, I traveled there honestly believing the Article 1 Section 8 Clause 17 (10 mile square area) had actual privileges and immunities available to a Citizen of the Union of the United States.

However, the "Rule of Flaw" was just as corrupt as Washington State, if a Citizen owing an allegiance to the Union of the United States is unable to receive the Protections of the Privileges and Immunities of a Person in the Capitol (which doesn't necessarily mean punishment and the National Debt proves "We the People" are depleted of financial Capitol)

Where does a Citizen whom is a Person reduced to the property of the union of "The Enemy Within" actually travel to seek out Justice? When the United States becomes a Party to a claim of being a Fugitive from Justice!

The District has Jurisdiction of claims of 13th Amendment violations and improper activities of the United States District Court for the District of Columbia. Which Suspended my Privilege of Writ of Habeas Corpus until removed from the District to avoid the Grounds raised within to original Petition.

I Kurt Madsen swear under the penalty of perjury of the laws of the Union of the United States the facts contained herein are true and correct.

Submitted June 29, 2015 s/Kurt Madsen

Certificate of Service

I Kurt Madsen declare under the penalty of perjury I have electronically filed this Notice of Appeal and Exhibits 1, 2 and 3 to the United States whom has acknowledge acceptance of e-filing filing with the United States District Court is another issue I shall make repeated attempts to every email address available until July 3, 2014 then I will have to apparently bridge to abridgement through the Pony Express United States Postal Service which will lose all PDF attributes. Leslie.Gerardo@usdoj.gov

Also Submitted to the Suspending Judge indicated on pg. 1

June 29, 2015 s/Kurt Madsen Madsen.appellant@gmail.com

UncleSamsCastle@gmail.com

RECEIVED
SEP 09 2014

SUPERIOR COURT FOR WASHINGTON D.C. Office of the Governor

UNITED STATES OF AMERICA, ET AL.
PLAINTIFF

V.

KURT RANDAL MADSEN
DEFENDANT/
APPLICANT

HOLDER ET. AL.

(JULY 30, 2014 #45)

NO. 2014-FUG-13314
APPLICATION FOR WRIT
OF HABEAS CORPUSCLERKS ACTION REQUIRED
SEE PAGE 2 FOR RESPONDENTS

I, KURT RANDAL MADSEN, AM A CITIZEN OF THE UNITED STATES OF AMERICA, I WAS BORN ON MARCH 4, 1969, IN KING COUNTY, WASHINGTON STATE.

ON JULY 30, 2014, THE UNITED STATES OF AMERICA, DISTRICT ATTORNEY FILED CHARGES OF ME BEING A "FUGITIVE FROM JUSTICE" IN VIOLATION OF TITLE 23 SECTION 701 OF THE DISTRICT OF COLUMBIA CODE.

HOWEVER, I AM NOT "...LIABLE BY THE CONSTITUTION AND LAWS OF UNITED STATES TO BE DELIVERED OVER UPON DEMAND OF THE GOVERNOR..." § 23-701(3)

I HAVE STATED THAT I DESIRE TO TEST THE LEGALITY OF MY ARREST WHICH ACCORDING TO DC. CODE 23-704(d) I HAVE THE SAME RIGHTS TO CHALLENGE MY "DETENTION AND EXTRADITION AS IF THE HEARING WERE UPON A WRIT OF HABEAS CORPUS."

ALTHOUGH, I AM CURRENTLY "IN CUSTODY" IN THE AREA DESCRIBED IN ARTICLE 1 SECTION 8 CL 17, IT APPEARS CONGRESS HAS

JUN

ABANDONED ITS OBLIGATIONS, OUTLINED IN THE ARTICLE. (TRANSFER GROUNDS
APPEAL GROUNDS)
I, KURT MADSEN, MAKE THIS APPLICATION FOR A WRIT OF HABEAS CORPUS
ON BEHALF OF MYSELF AND AGAINST THE FOLLOWING PERSONS.

RESPONDENTS FOR HABEAS APPLICATION.

1) ERIC H. HYDER JR.

UNITED STATES ATTORNEY GENERAL

2) WILLIAM SMITH

WARDEN

DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

1901 D. STREET SE

WASHINGTON, DC 20003

3) JAY INSLEE

GOVERNOR FOR WASHINGTON STATE

4) BOB FERGUSON

ATTORNEY GENERAL FOR WASHINGTON STATE

5) LESLIE O'CONNER

A PERSON PRETENDING TO HAVE AUTHORITY TO ISSUE ARREST WARRANTS.
GOING IN DISGUISE AS AN EXECUTIVE OFFICER
FAILED TO ASSESS TO TITLE 4 SECTION 101 OF THE UNITED STATES CODE

6) KATHY DHAISON

SUPERVISOR OF LESLIE O'CONNER

WHOM HAS ALSO FAILED TO ASSESS TO 4 USC 101

ALTHOUGH I AM AGAIN EXPERIENCING AN ABRIDGMENT OF MY FIRST AMENDMENT RIGHTS, AND YET AGAIN HAVE HAD NOT ONLY MY PERSON UNCONSTITUTIONALLY SEIZED, BUT ALL OF MY PAPERS AND EFFECTS INCLUDING "SMART PHONE" TO INSTANTLY ACCESS "INFORMATION" TO HELP EFFECTIVELY ARTICULATE THE GROUNDS FOR THE ISSUANCE OF THE WRIT OF HABEAS CORPUS, AND HELP WITH MY SPELLING, CITATION OF LAWS AND OTHER COURT CASES AND ACTS OF CONGRESS - LIKE THE EMERGENCY ACT. 1989
HOWEVER I DO HAVE A COPY OF THE UNITED STATES CONSTITUTION AND SOME PROCEDURE LAW, AND DESPITE THE ABRIDGMENT OF THE FIRST AMENDMENT ILL TRY AND DO THE BEST I CAN, I HOPE THE COURT UNDERSTANDS WHY I AM UNABLE TO ACHIEVE PERFECTION.

OR PROVIDE THE COURT WITH EXACT DATES AND A CASE NUMBERS BECAUSE OF THE UNCONSTITUTIONAL SEIZURE AND NOT HAVING MEANINGFUL ACCESS TO THE COURTS

THE "COMPUTER" IS ABRIDGED MORE OVER ^{ONLY} 30 MINUTES IN 2 WEEKS. NO ACCESS TO 1884-1899 CASES

HOW MUCH TIME DOES THE AVERAGE AMERICAN SPEND ON A COMPUTER / SMART PHONE / TABLET IN 2 WEEKS?

☐ 30 MINUTES ☐ 3 HOURS ☐ 3 DAYS ☐ 300 HOURS

(ONLY DOCUMENTS RECEIVED ARE ATTACHED AS EXHIBIT 1 SPAGES)
~~PERHAPS~~ DONT EXPECT PERFECTION IN THE APPLICATION

AS I STATED I SPENT ONLY 30 MINUTES ON

A COMPUTER WITH ABRIDGED ACCESS. NO GOOGLE NO GPO.GOV
PRINTED ABRIDGED CONSTITUTION AND SOME ABRIDGED COURT CASES.

EXHIBIT 2

NOTHING - IM GOING OF MEMORIAL

I, KURT MADSEN, MAKE THIS APPLICATION FOR A WRIT OF HABEAS CORPUS ON BEHALF OF MYSELF UPON THE FOLLOWING GROUNDS, IN ADDITION TO THE TRANSFER/VENUE GROUNDS OF D.C. JURISDICTION.

GROUND 1

ON SEPTEMBER 22, 2011, I, KURT MADSEN, PERFORMED THE PERFECT SELF-DEFENSE,

I WAS UNDER ATTACK BY A MAN NAMED ALDINORO NUNEZ-MIRANDA, MIRANDA PUNCHED ME IN MY FACE, THEN HAD ME ON THE GROUND, MIRANDA THEN TRIED TO CRUSH MY SKULL WITH A FIST SIZED RIVER-ROCK, I WAS ABLE TO BLOCK THE ROCK AND PUNCH MIRANDA'S FACE ABOUT FOUR TIMES.

MIRANDA WAS UNABLE TO MAKE CONTACT WITH THE ROCK TO MY BODY. HOWEVER, AFTER MIRANDA'S FIRST ATTEMPTED ATTACK WITH THE RIVER-ROCK MIRANDA MADE A SECOND ATTEMPT, WHEN HE CAME CHARGING AT ME WITH THE ROCK IN HIS HAND.

NOW THANK GOD, OR WHATEVER HEAVENLY BODY THAT WAS RESPONSIBLE FOR MY FEET ENDING UP ON MIRANDA'S WAIST, WHEN I LANDED ON MY BACK AFTER THE IMPACT OF MIRANDA'S CHARGE. BECAUSE, WHEN MIRANDA TRIED TO STRIKE MY SKULL, WITH THE RIVER-ROCK, HE WAS UNABLE TO REACH MY SKULL, BECAUSE MY FEET WERE LONGER THAN MIRANDA'S ARM, WHICH HE WAS VIOLENTLY ATTEMPTING TO SEND ME OFF INTO MY NEXT LIFE. THE RIVER-ROCK CAME WITHIN INCHES OF IMPACTING MY SKULL, AT LEAST THREE TIMES, I SAW IT INCHES FROM MY EYES.

PERHAPS MY INSTINCTS TOOK OVER, OR THE UNKNOWN SPIRIT THAT SAVED ME FROM EXTINCTION, WHATEVER THE CASE MAY BE, I LET MY LEGS RELAX AND PUNCHED MERANDA IN HIS FACE AS HARD AS I POSSIBLY COULD!

THE IMPACT WAS A LOUD CRACK SOUND, LIKE THE SOUND OF CLAPPING YOUR HANDS, MERANDA STAGGERED AWAY.

ON SEPTEMBER 26, 2011 I KURT MADSEN, WAS CHARGED WITH 2ND DEGREE ASSAULT AND MALICIOUS HARASSMENT, EACH ONE A FELONY AND CONSIDERED AN "INFAMOUS CRIME."

HOWEVER, I DID NOT RECEIVE THE PROTECTIONS OF A GRAND JURY AND WAS NOT "INDICTED".

I WAS CHARGED VIA "INFORMATION" FILED BY A PROSECUTOR FOR KING COUNTY AND SIGNED BY A FORMER PROSECUTOR FOR KING COUNTY PRETENDING TO BE A JUDGE⁽¹⁾ CASE # 11-1-10408-3 KNT⁽²⁾

THEREFORE GROUND 1 IS THE VIOLATION OF THE 5TH AMENDMENT OF ~~THE~~ ^{OUR} UNITED STATES CONSTITUTION;

"NO PERSON SHALL BE HELD TO ANSWER FOR A CAPITAL, OR OTHERWISE INFAMOUS CRIME, UNLESS ON A PRESENTMENT OR INDICTMENT OF A GRAND JURY,"

[THEN(WE) IMMEDIATELY ADD]

"EXCEPT IN CASES ARISING IN THE LAND OR NAVAL FORCES OR IN THE MILITIA WHEN IN ACTUAL SERVICE IN TIME OF WAR OR PUBLIC DANGER,"

⁽¹⁾ BARBARA MALK

EXHIBIT Z

KING COUNTY PROSECUTOR 1986 - PRESENT.

(2) SAME CASE AS 'WARRANT' RE-LIES

PRETENDS TO DISGUISE HERSELF AS A 'JUDGE' CLOAKED IN A BLACK ROBE, 5 OF 18²⁰

IT IS SAID IN EX PARTE WILSON 114 US 417 (1885)

THIS PROVISION OF THE 5TH AMENDMENT WAS DERIVED FROM THE CONSTITUTION OF MASSACHUSETTS AND PROPOSED BY JAMES MADISON.

THE UNITED STATES SUPREME COURT, WAS EMPHASIZING THE IMPORTANCE OF WHAT THE LAW WAS BEFORE.

IN 1885 AND 1887 WHEN THE OPINION OF MACKIN V. US 117 U.S. WAS DECIDED, WHICH RELIED UPON THE 1885 EX PARTE WILSON,

KING COUNTY WAS WITHIN THE TERRITORY OF WASHINGTON. THEREFORE, EX PARTE WILSON AND MACKIN V. US AND THE REQUIREMENT OF AN INDICTMENT BY A GRAND JURY

WHERE AN "INFAMOUS PUNISHMENT" COULD BE INFLICTED WAS THE "SUPREME LAW OF THE LAND." NO COURT OF THE UNITED STATES HAD JURISDICTION OVER A PERSON WHERE AN "INFAMOUS PUNISHMENT" COULD BE INFLICTED,

MOREOVER, ON FEBRUARY 22, 1889 WHEN THE ENABLING ACT WAS PASSED, ~~IF~~ THE ACT SPECIFICALLY STATES THE STATES SHALL ADOPT THE UNITED STATES CONSTITUTION AND THEIR CONSTITUTIONS SHALL NOT BE REPUGNANT TO THE PRINCIPALS OF THE DECLARATION OF INDEPENDENCE. (DI)

WHERE THE MAJOR PRINCIPAL IS "SUBJECTING US TO JURISDICTION FOREIGN TO OUR CONSTITUTION" BY ENACTING PSEXTENDED LEGISLATIONS. (SEE DI)

IS SOMEWHAT UNCLEAR AS TO WHY NORTH DAKOTA AND SOUTH DAKOTA STILL ADHERE TO THE PROVISIONS OF THE ENABLING ACT OF 1839⁽¹⁾ AND PROVIDE FOR THE PROTECTION OF ITS PEOPLE AND THOSE OF THE UNITED STATES, THE GRAND JURY, SYSTEM OF GOVERNMENT, EMBEDDED WITHIN, THE UNITED STATES CONSTITUTION AND THE PRINCIPALS OF THE DECLARATION OF INDEPENDENCE, MOREOVER THE CONSTITUTIONS OF THE "ORIGINAL STATES" WHERE THIS PROVISION WAS ADOPTED FROM AS ADDRESSED IN *EX PARTE KEELER* (1885) WHERE WASHINGTON RECEIVED EQUAL FOOTING AS ORIGINAL STATES.

BEING CHARGED VIA "INFORMATION" IS AN INJUSTICE AND A FORM OF TREASON UPON THE UNITED STATES CONSTITUTION. THE "PRETENDED LEGISLATION" (SEE DI)

IS PERHAPS *HURTADO V. CALIFORNIA* (1889) 110 US 516

WHICH PROCLAIMED THE CALIFORNIA CONSTITUTION DID NOT VIOLATE DUE PROCESS OF LAWS.

WHEREBY A PERSON CHARGED - HURTADO - WAS TAKEN BEFORE A MAGISTRATE BEFORE BEING "HELD TO ANSWER", WAS THE "LAW OF THE LAND" AND DID NOT VIOLATE DUE PROCESS OF LAWS.

IT IS UNCLEAR IN LIGHT OF THIS DECLARATION OF INDEPENDENCE WHY THE "COMMON LAW OF ENGLAND" WAS AT THE FOREFRONT, IN THE HURTADO DECISION, WHICH SOME 130 YEARS LATER IS PERHAPS THE CONTRIBUTING FACTOR IN *BROWN V. PLATA ET AL.* — US — (2012)

(1) THESE STATES ARE OUTSIDE OF THE 4TH CIRCUIT JURISDICTION PERHAPS THIS IS THE PREVAILING FACTOR.

HOWEVER, THAT IS THE CURRENT SITUATION IN CALIFORNIA.

HURTADO WAS DECIDED BY "THE SUPREME COURT UNDER THE JURISDICTION OF ARTICLE 3 OF OUR UNITED STATES CONSTITUTION

"THE SUPREME COURT SHALL HAVE APPELLATE JURISDICTION, BOTH TO LAW AND FACT, WITH SUCH EXCEPTIONS, AND UNDER SUCH REGULATIONS AS THE CONGRESS SHALL MAKE."

ADDITIONALLY ARTICLE 1 SECTION 1 IS CRYSTAL CLEAR:

"ALL LEGISLATIVE POWERS HEREBY GRANTED SHALL BE VESTED IN A CONGRESS OF THE UNITED STATES".

THEREFORE THE "JUDICIAL REVIEW" AS TO "SAY WHAT THE LAW IS" IN *MARBLEY V. MADISON* (1803) TO ALLOW THE EVOLUTION OF *HURTADO V. CALIFORNIA* ⁽¹⁸⁹⁰⁾ TO EXTEND ITS INJUSTICE TO EVERY STATE IN THE UNION, ⁽¹⁾ IS "PRETENDED LEGISLATION" WHICH PERMITS "JURISDICTION FOREIGN TO OUR CONSTITUTION" A PROHIBITION OF THE PRINCIPALS OF THE DECLARATION OF INDEPENDENCE, SPECIFICALLY PROHIBITED BY *EX PARTE WELSON* REGARDING THE JURISDICTION OF THE COURTS IN RELATION TO THE PROVISIONS OF THE 5TH AMENDMENTS "INFAMOUS CRIME" AND INDICTMENT REQUIREMENTS OF A GRAND JURY EMBODIED IN THE UNITED STATES CONSTITUTION.

FURTHERMORE, WASHINGTON WAS REQUESTED TO CREATE A CONSTITUTION BASED UPON THE PRINCIPALS OF THE DECLARATION OF INDEPENDENCE JULY 4TH 1776, AS WAS THE DERIVATIVE OF THE CONSTITUTION OF MASSACHUSETTS, AND THE BASES OF THE (1) AND TO DECLARE SAFEGUARDS OF A GRAND JURY EXISTENT INC. 8 OF 18 PREVENTING CORRUPTION!

5TH AMENDMENTS FIRST SAFEGUARD.

THE ENABLING ACT OF 1889 DID NOT PERMIT WASHINGTON STATE TO ESCAPE THE "ESTABLISHED JUSTICE" IN *EX PARTE WILSON* 1885 BY THE UNITED STATES SUPREME COURT.

MOREOVER, WASHINGTON WAS A TERRITORY OF THE UNITED STATES SINCE AROUND 1852, I BELIEVE THE BRIEFS IN *WILSON* CITE WASHINGTON TERRITORIAL LAW, AS DOES THE OPINION.

HOWEVER, THE UNITED STATES REPEATEDLY ATTEMPTS TO UTILIZE THE OPINION IN *HURTADO* WHEN FILING BRIEFS IN *MACKIN V. US* (1887) AND THE "DUE PROCESS OF LAW" PROCLAIMED IN *HURTADO*.

FURTHERMORE, SEVERAL MORE RECENT OPINIONS OF THE SUPREME COURT MAKE A CONNECTION TO ENUMERATED "BILL OF RIGHTS" WITHOUT A RELIANCE UPON "INCORPORATION" THROUGH THE 14TH AMENDMENT.

~~THE~~ *MIRANDA V. ARIZONA* THE FAMOUS "I'LL TAKE THE 5TH" CASE MAKES NO CONNECTION BETWEEN "DUE PROCESS OF LAW" AND THE 5TH.

I DON'T HAVE MEANINGFUL ACCESS TO THE COURTS TO CITE ANY OTHER CASES AT THIS POINT IN TIME.

BOTTOM LINE THE FIRST SAFEGUARD OF THE 5TH AMENDMENT APPLIES TO WASHINGTON, WHO LACKED JURISDICTION OVER ME, AND STILL DOES. 9 of 18

GROUND 2

THE 'WARRANT' RELIED UPON BY THE UNITED STATES ATTORNEY GENERAL TO DEPRIVE ME OF MY LIBERTY WAS NOT IN DUE PROCESS OF LAW IT VIOLATES THE 14TH AMENDMENT, AND THE STATE'S DUE PROCESS PROVISION. ALTHOUGH I'VE NEVER PHYSICALLY SEEN THE 'WARRANT' ⁽¹⁾ ISSUED ON ~~SEP~~ JUNE 16, 2014, I KNOW IT WAS ISSUED BY LESLIE O'CONNOR WHOM IS AN EMPLOYEE OF THE DEPARTMENT OF CORRUPTION FOR THE STATE OF WASHINGTON.

THE DOC IS AN EXTENSION OF THE EXECUTIVE BRANCH OF WASHINGTON STATE.

HOWEVER NO OFFICER FOR THE DEPARTMENT HAS TAKEN THE OATH MANDATED BY ARTICLE 6 AND TITLE ~~4~~ ³ 4 UNITED STATES CODE SECTION 101

THIS IS A GOVERNMENT FOREIGN TO OUR CONSTITUTION WHICH WAS CREATED AFTER THE DECLARATION OF INDEPENDENCE YET VIOLATES ITS PRINCIPLES.

MOREOVER, THE ISSUANCE OF 'WARRANTS' IS A JUDICIAL BRANCH FUNCTION, THEREFORE HAD O'CONNOR ASSENTED SUPPORT OF THE UNITED STATES CONSTITUTION, PERHAPS SHE WOULD REALIZE HER VIOLATION OF THE DOCTRINE OF SEPARATIONS OF POWERS.

THE "COMMUNITY CUSTODY" OF 18 MONTHS WAS IMPOSED ON JULY 23, 2012, IN ADDITION TO 20 MONTH IN "CUSTODY"

WHICH IS THE STATUTORY MAXIMUM, I SERVED THE ENTIRE
(1) MADE DEMAND TO USMS WHO REFUSED.

20 MONTHS, O'CONNOR AND JOHNSON NOW CONSPIRE TOGETHER

IN VIOLATION OF 42 USC 1985 TO PREVENT ME FROM EQUAL ACCESS TO JUSTICE. AND FROM EQUALLY ENFORCEMENT OF LAWS.

WHEREBY EACH TIME I "REPORT" THEY CHANGE THE "CONDITIONS". THE MOST RECENT WAS NOT LEAVE THE CITY OF SEATTLE AND THAT I STAY IN A SHELTER AND REPORT EVERY DAY.

IT'S OBVIOUS NEITHER O'CONNOR OR JOHNSON SUPPORT THE UNITED STATES CONSTITUTION, NEITHER HAS AUTHORITY UNDER THE SEPERATION OF POWERS DOCTRINE AND PRINCIPLES OF CHECKS AND BALANCES,

O'CONNOR NOR JOHNSON HAS TAKEN THE REQUIRED ARTICLE 6 OATH MANDATED BY TITLE 4 USC 101 TO HAVE EXECUTIVE AUTHORITY OVER MY CONSTITUTIONAL RIGHTS, TO INFRINGE OR SUPPORT,

THE DEPARTMENT OF CORRUPTION, DENIES THEIR UNCONSTITUTIONAL POWER THROUGH APPENDIX H TO THE JUDGEMENT AND SENTENCE IN U-1-10408-3 KNT, WHICH WAS/IS UNCONSTITUTIONAL UNDER CRIMINAL

I WAS ENTERED TO 5 CHANCES; WHERE I WOULD RECEIVE 3-5 DAYS, FOR VIOLATING A CONDITION, ALTHOUGH THE MAXIMUM IS NOW 30 DAYS. I HAVE NEVER BEEN GIVEN A CHANCE, THIS AN EX POST FACTO VIOLATION, MOREOVER, THE PLAN THEY HAVE IS APPARENTLY TO HAVE ME SERVE THE 18 MONTHS 30 DAY AT A TIME,

WHICH INCREASES THE PUNISHMENT BEYOND THE 20 MONTH MAX. MOREOVER, I ACTED IN SELF-DEFENSE ON 9-22-2011, 11 OF 18

GROUND 3

IF ANY COURT WITHIN THE WASHINGTON DISTRICT OF COLUMBIA INCLUDING THE SUPREME COURT OF THE UNITED STATES, WHOM DETERMINED THE CLEARLY ESTABLISHED FEDERAL LAW REGARDING GROUND 1 AND THE 5TH AMENDMENT IN EX PARTE WILSON (1885) WHEREBY THE MEASUREMENT OF THE INSTRUMENT IN "INFAMOUS CRIME" IS "INFAMOUS PUNISHMENT" WHICH CAN CHANGE OVER-TIME, PERMITS MY RETURN, TO WASHINGTON STATE, UPON THE 'WARRANT' RELIED UPON IN GROUND 2, IT WOULD NOT ONLY BE TREASON UPON THE UNITED STATES CONSTITUTION ^① IT WOULD BE A RE-INACTMENT OR RE-INSTALEMENT OF ARTICLE 4 CLAUSE 3.

LESLIE O'CONNERS 'WARRANT' IS NOTHING MORE THAN A "CLAIM OF THE PARTY TO WHOM SUCH SERVICE OR LABOUR MAY BE DUE"

THE 13TH AMENDMENT WOULD ALSO BE VIOLATED

"NEITHER SLAVERY NOR INVOLUNTARY SERVITUDE,

[THEN IT (WE) IMMEDIATELY ADD]

"EXCEPT AS A PUNISHMENT FOR CRIME WHERE OF THE PARTY SHALL HAVE BEEN DULY CONVICTED," ~~STATE~~

[THEN IT (WE) IMMEDIATELY ADD]

"SHALL EXIST WITHIN THE UNITED STATES, OR ANY PLACE SUBJECT TO THEIR

JURISDICTION."

EMPHASIS ADDED!

526
① JUSTICE MARSHALL
IN MARRIAGE V. MARRIAGE
AND ARTICLE 43

AS SOMEWHAT ARTICULATED IN GROUND 1, THE JURISDICTION OF THE COURT TO INFLICT OR ALLOW AN INFLICTION OF AN "INFAMOUS PUNISHMENT" CAN ONLY COME FROM AN INDICTMENT ISSUED BY A GRAND JURY - SEE EX PARTE WILSON, "INVOLUNTARY SERVITUDE" IS AN "INFAMOUS PUNISHMENT" - WHICH CAN CHANGE OVER TIME.

INITIALLY THE DEPARTMENT OF CORRUPTION INTENDED TO HAVE THEIR WAY WITH ME, AFTER I WAS SENTENCE TO 43 MONTHS, I WAS REQUIRED TO WORK, AND FORCED TO SIGN UP FOR A WORK ASSIGNMENT FOR "CORRECTIONAL INDUSTRIES" WHEN HOUSED AT STAFFORD CREEK "CORRECTIONAL" CENTER MARCH 2012

ON JULY 23, 2012 I RECEIVED A 23 MONTH SENTENCE REDUCTION, WHICH AFTER "GOOD-TIME" PLACED MY RELEASE DATE AT NOVEMBER 4, 2012 WITH ONLY 3 MONTHS (SO I THOUGHT) I WAS NOT FORCED TO WORK. (I COULD BE FORCED) HOWEVER, I WAS REQUIRED TO COMPLETE THE ENTIRE 20 MONTH SENTENCE BECAUSE KATHY JOHNSON REFUSED TO "APPROVE" A RELEASE ADDRESS, OR THAT OF MY FAMILIES HOUSE IN KENT, WHERE I LIVED MOST OF MY LIFE, JOHNSON REMOVED MY FILE FROM AUBURN AND REQUIRED THAT I SERVE MY "COMMUNITY CUSTODY" IN SEATTLE.

JOHNSON AND O'CONNER, ACT AS THOUGH THEY ARE MY MASTERS AND I AM THEIR SLAVE, WHEREBY I MUST OBEY ALL COMMANDS WHICH COULD INCLUDE PHYSICAL LABOR AND "INVOLUNTARY SERVITUDE" IS AN OPTION AVAILABLE - ANYTHING GOES IN A CORRUPT SOCIETY

THE COURT LACKED JURISDICTION, THEREFORE I WAS NOT "DULY CONVICTED" AND CAN NOT, NOR SHOULD NOT HAVE RECEIVED OR SHOULD I FACE A POSSIBILITY TO RECEIVE ANY MORE, ^{OR} FORM OF "INVOLUNTARY SERVITUDE" IN THE JURISDICTION OF THE UNITED STATES WASHINGTON DOES NOT HAVE ANY JURISDICTION.

GROUND 4 IS RESERVED TO ARTICULATE THE PROBLEM

IN 28 USC 2254 (B)(i)

"CIRCUMSTANCES EXIST THAT RENDER SUCH PROCESS INEFFECTIVE TO PROTECT THE RIGHTS OF THE APPLICANT"

(AFTER THE RETURN OF MY PROPERTY AND COMPLETION OF DISCOVERY, I RESERVE A 5TH AMENDMENT OF GROUNDS. CLAIM STANDING)

ON DECEMBER 2, 2011, I INSISTED I NOT BE PLACED UPON TRIAL WITHOUT THE REQUIRED INDICTMENT (MOTION FILED 11-30-2011 KANE COUNTY SUPERIOR COURT ~~11-1-10408-3 KAT~~) AT ORAL ARGUMENT, I ALSO DEMANDED THE RECUSAL OF "JUDGE" BARBARA MACK.

WHEN ON DECEMBER 5, 2011, I WAS TO APPEAR BEFORE THE KANE COUNTY SUPERIOR COURT CHIEF JUDGE MARY ROBERTS.

"JUDGE" MACK PROSECUTOR JERRY TAYLOR - AND APPOINTED STANDBY COUNSEL ANY BARBERS COMBINED TOGETHER IN VIOLATION OF 42-USE 1985

TO HAVE ME NOT APPEAR IN THE CHIEF JUDGES COURT ROOM IN FACT "JUDGE" MACK MADE A THREAT OF ISSUANCE OF A DRAG ORDER

I THEN PROCEEDED PRO-SE IN A MACK AKA MACK TRIAL WHICH WAS A TOTAL SHAM, THE "JUDGE" HAD REFUSED TO ALLOW ACCESS TO ELECTRONIC EVIDENCE, REFUSED TO ISSUE SUBPOENAS (ON THE LAST DAY SHE SIGNED YET REFUSED TO WAIT FOR SERVICE) REFUSED TO ALLOW A WITNESS WHOM APPEARED ON MY BEHALF TESTIFY.

REFUSED TO ALLOW SELF-DEFENSE ON "PHYSICAL" MALICIOUS HARASSMENT.

MACK WENT SO FAR AS TO NOD HER HEAD IN AGREEMENT WITH HER COMRADE DURING HER CLOSING ARGUMENT.

MACK CONTRADICTED EVERY SAFEGUARD IN THE CONSTITUTION.

14 OF 18

MACK REFUSED TO ALLOW ANY COMMENT ABOUT HER PAST OR ANY REGARDING THE FACT MIRANDA WAS TO BE REWARDED WITH A U-VISA.

AFTER MY WRONGFUL CONVICTION MACK ~~FILED~~ SENTENCED ME ~~1~~ WITHOUT JURISDICTION TO 43 MONTHS.

86998-7
I FILED A DIRECT APPEAL WITH THE STATE SUPREME COURT. MACK INTERCEPTED MY REQUEST FOR CLERKS PAPERS. IN FEBRUARY 2012-

MOREOVER, THE DEPARTMENT OF "CORRECTIONS" ~~IT~~ SEIZED ALL LEGAL DOCUMENTS, I FILED A WRIT OF HABEAS CORPUS IN THE ~~STATE~~ STATE SUPREME COURT AGAINST BERNARD WARNER - IT WAS DENIED.

I ALSO FILED A ^{WRIT OF HABEAS CORPUS} (PERSONAL RESTRAINT PETITION) IN THE STATE SUPREME COURT WHICH WAS DENIED. NOVEMBER 2013
42 USC 1983 CLAIM DENIED IN US DISTRICT COURT. 5/2013

I HAD ALSO FILED A MOTION IN THE SUPERIOR COURT CASE 11-1-10408-3, IN OCTOBER 2012, THIS WAS ALSO INTERCEPTED BY MACK AND FORWARDED TO THE COURT OF APPEALS DIVISION I AS A ^{WRIT OF HABEAS CORPUS} (PERSONAL RESTRAINT PETITION) WHERE IT HAS SAT SINCE, ALMOST 2 YEARS AND NOTHING, APPARENTLY MACK HAS SOME CONNECTIONS THERE TOO.

MY NEXT ATTEMPT FOR JUSTICE WAS TO FILE A NOTICE OF REMOVAL UNDER 28 USC 1455 IN THE UNITED STATES DISTRICT COURT FOR WESTERN WASHINGTON

KLADSEN V. WASHINGTON 13-1940 - FILED 10-28-2013

150F18

THE CASE WAS ASSIGNED TO JUDGE ROBERT LASNIK, WHOM WAS THE CHIEF OF STAFF FOR THE KING COUNTY PROSECUTIONS OFFICE IN 1989, AND ~~PERHAPS~~ ^{APPARENTLY} A CLOSE FRIEND OF PROSECUTOR MACK.

THE COURT UNDER THE SLICK HAND OF LASNIK DID NOT FILE THE CASE UNDER 28 USC 1455 WHICH WAS CLEAR IN THE PLEADING, ANYONE WITH ACCESS TO PACER CAN READ THE REMOVED COMPLAINTS I'VE MADE.

THEREFORE, I HAVE TRIED TO USE THE JUSTICE SYSTEM TO SEARCH FOR JUSTICE, HOWEVER MY REPEATED PLEADINGS RECEIVE "REPEATED INJURY" VIOLATING THE PRINCIPALS OF THE DECLARATION OF INDEPENDENCE

I AM BY MY ACTIONS, IN THE DISTRICT OF THE UNITED STATES GOVERNMENT IN SEARCH OF JUSTICE, WHICH HAS APPARENTLY ESCAPED THE JUSTICE THE UNITED STATES CONSTITUTION WAS CREATED TO ESTABLISH.

THE PEOPLE INVOLVED IN THE INJUSTICE TO MY PERSON WHO STARTED VIA "INFORMATION" AND WHOM HAVE ISSUED A 'WARRANT' ARE TRAITORS UPON THE UNITED STATES, EITHER BY THE OUTRIGHT REFUSAL TO TAKE AN OATH TO SUPPORT OUR CONSTITUTION OR THE REFUSAL TO SUPPORT WHAT HILL OR HER HAVE PROMISED=IMPEACHMENT UPON OATH, SEE 14TH AMENDMENT ~~SECTION 3~~

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REQUESTED RELIEF

I, KURT MADSEN, THE DEFENDANT/APPLICANT REQUEST THAT I BE DISCHARGED OF ANY OBLIGATION, TO THE DEPARTMENT OF 'CORRECTIONS' OF WASHINGTON STATE, WHOM HAVE FAILED TO ASSESS TO THE & SUPPORT OF THE UNITED STATES CONSTITUTION UNDER 4 USC 101.

AND WHOM HAVE UNCONSTITUTIONALLY ISSUED A 'WARRANT' FOR THE ARREST OF MY PERSON. IN VIOLATION OF THE 4TH AMENDMENT AND DUE PROCESS OF LAW.

MOREOVER, I REQUEST DISCHARGE FROM CONFINEMENT DUE TO THE LACK OF JURISDICTION OF THE COURTS WITHOUT THE REQUIREMENT OF AN INDICTMENT BY A GRAND JURY AS EMBODIED IN THE 5TH AMENDMENT.

~~IF THE~~ IF THE SUPERIOR COURT OF D.C. IS UNWILLING TO DISCHARGE ME FROM CONFINEMENT.

I SHALL ~~SEEK AN IMMEDIATE~~ APPEAL, IN .24 SECONDS (PROVIDING "INFORMATION" DUE TO § 23-704(e) "HE MAY APPEAL, WITHIN 24 HOURS")

FURTHERMORE, I SHALL FILE AN APPLICATION FOR A WRIT OF HABEAS CORPUS TO CHIEF JUSTICE ROBERTS OF THE UNITED STATES SUPREME COURT UNDER 28 USC 2554(a)

THEREFORE, PURSUANT TO D.C. CODE § 16-1903(1) WHERE THE APPEAL IS PENDING AND THE 28 USC 2554 IS PENDING, I SHALL REFUSE TO BE REMOVED FROM

WHERE I AM CURRENTLY DETAINED, ~~BE~~ FOR THE "PURPOSE"
OF RETURNING MY PERSON TO THE UNCONSTITUTIONAL
AUTHORITY OF WASHINGTON STATE, AS INDICATED UNDER
D.C. CODE § 16-1903 (1)

SEEK ORDER FROM COURT NOT TO BE REMOVED TO WASHINGTON UNTIL
APPEAL EXHAUSTED.

I, HAVE DONE NOTHING WRONG!

I FURTHER REQUEST THE IFP MOTION BE GRANTED, I BE
PERMITTED TO PROCEED INDIGENT AND DISCOVERY RE
OBTAINED FROM THE DISCOVERY MOTION AND COURT CERTIFIED FROM:

KING COUNTY SUPERIOR COURT 11-1-10488-3

WASHINGTON STATE SUPREME COURT (ALL CASES) 2012-2013

DIVISION I COURT OF APPEALS (MAY 2012 WRIT OF HABEAS CORPUS (PRP))

US DISTRICT COURT ALL CASES 2012-2013

9TH CIRCUIT

2013-2014

I, KURT MADSEN, THE DEFENDANT / APPLICANT IN THIS
APPLICATION FOR WRIT OF HABEAS CORPUS ^{DECLARE} SWEAR UNDER THE
PENALTY OF PERJURY, UNDER THE LAWS OF THE UNITED
STATES AS TO THE FACTS ^(FOR CAUSE IS TRUE AND CORRECT) CONTAINED WITHIN THIS APPLICATION.

I FURTHER SWEAR ALL MY "PAPERS", "EFFECTS", MONEY, PROPERTY
ARE SEIZED WITHOUT DUE PROCESS OF LAW OR THE PROTECTIONS
OF THE 4TH AMENDMENT ^{OR} THE UNITED STATES CONSTITUTION
AS IS THE CASE WITH MY PERSON, WHICH THIS APPLICATION IS
INTENDED TO DISCHARGE.

EXECUTED ON AUGUST 13TH, 2014



KURT MADSEN - PRO SE

1901 DISEASE

WASHINGTON DC 20003

18 OF 18

METROPOLITAN POLICE DEPARTMENT
WASHINGTON, D.C.

USCA Case #15-5192 Document #1561872
PRISONER'S PROPERTY RECEIPT

Filed: 07/10/2015 Page 34 of 94

Booking Element 511	CCN 113060	Date 7/25/14	Time 1845
Defendant's Name Madsen, RUT, Randall			
Social Security Number			
Address 1355 44th AVE NY			
City	State	Zip	
Charge Fugitive from Justice	Arrest Number		
Arresting Officer Himmelfarb	Badge No. 4706	Org. Element 511	
Searching Officer	Badge No.	Org. Element	

THIS PROPERTY WILL BE HELD AT THIS UNIT FOR 90 DAYS. IF THE PROPERTY IS NOT CLAIMED, THE PROPERTY WILL BE CONSIDERED ABANDONED AND DISPOSED OF IN ACCORDANCE TO LAW. YOU MAY AUTHORIZE A THIRD PARTY TO PICK UP YOUR PROPERTY BY COMPLETING ITEMS 1, 2, AND 3 BELOW.

1) Name
2) Address
3) Defendant's Signature

PROPERTY INVENTORY		
Cash \$ 39.08	Vial of Nicotinic Acid	
	Cell w/c Hairs	
Keys, Aggravated Assault + Possessive		
Cards, CLOTHES, BOTTLE		
11		
Station Clerk Blum, F	Badge No. 4706	Org. Element 511
Property Book 2000	Page No. 158	Org. Element

Distribution: 1. Org. Element 2. Prisoner PD Form 58 Rev. 1/92 16F8

Superior Court of the District of Columbia

USCA Case #15-5192

Document #1561872

CRIMINAL DIVISION
COMPLAINT

Filed: 07/10/2015

Page 35 of 94

No.

L/U#45

2014 JUL 13 2014

District of Columbia ss:

The undersigned having made oath before me declared that on the 30TH day of

JULY

A.D. 2014 at the District aforesaid, one

MADSEN, KURT RANDALL

being then and there a fugitive from the state of WASHINGTON and wanted for

ESCAPE SEE MIS- ESC COMMUNITY CUSTOD

did then and there come into the District of Columbia, in violation of Title 23 Section 701 of the District of Columbia Code.

Affiant's Name:

Subscribed and sworn to before me this 30TH

day of

JULY

A.D. 20 14

(Judge) (Deputy Clerk)

Superior Court of the District of Columbia

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued 20-----

SEX: MALE

DOB: 03/04/1969 AKA 02/25/1971

CCR:

FDID: 684-152

Judge

Superior Court of the District of Columbia.

Charge: Fugitive From Justice U029

Date of Offense 06/16/2014

..OFC. DEREK PENNINGTON..

Badge No.: 4243

OFFICER MUST EXECUTE RETURN:

Officer's Name:

Time:

Date: 30 JUL 2014

Superior Court of the District of Columbia**CRIMINAL DIVISION**

#45

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

USW NO.:

2014 JUL 13 14

DEFENDANT'S NAME: MADSEN, KURT RANDALL				CCR:		PDID: 684-152	
SEX: M	RACE: W	D.O.B.: 03/04/1969	HEIGHT: 5'10	WEIGHT: 180	EYES: BLU	HAIR: BLN	COMPLEXION: LIGHT
DEFENDANT'S HOME ADDRESS: 11346 WILD BERRY LANE, MOKENA, IL						TELEPHONE NUMBER:	
DEFENDANT'S BUSINESS ADDRESS: UNKNOWN						TELEPHONE NUMBER: UNKNOWN	
COMPLAINANT'S NAME: METROPOLITAN POLICE DEPARTMENT (FUGITIVE UNIT)							
LOCATION OF OFFENSE: STATE OF WASHINGTON				DATE OF OFFENSE: 06/16/2014		TIME OF OFFENSE: UNKNOWN	

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

The Metropolitan Police Department's Fugitive Unit received an NCIC Hit indicating that the Defendant MADSEN, KURT RANDALL has an outstanding arrest warrant by WASHINGTON DOC HEADQUARTERS. The warrant is charging the Defendant with "ESCAPE SEE MIS- ESC COMMUNITY CUSTOD". The date of the warrant is JUNE 16, 2014. The Defendant is a Fugitive from the State of WASHINGTON.

On JULY 30, 2014, the warrant was confirmed by CRT-1 BAYON of the WASHINGTON DOC HEADQUARTERS. On JULY 30, 2014, the warrant was also verified by Officer Derek Pennington of the Metropolitan Police Department Fugitive Unit, through MPD Teletype Unit Response Confirmation from WASHINGTON DOC HEADQUARTERS, advising that the warrant is active, and the State of WASHINGTON will extradite the Defendant.

A photo identification of the defendant was received from the Metropolitan Police Department's Automated Fingerprint Identification System.

The Defendant was arrested in the District of Columbia on JULY 29, 2014, at 1838 hours. This case will be presented to the USAO for review on JUNE 30, 2014.

TO: WARRANT CLERK

PLEASE ISSUE A WARRANT FOR:

MADSEN, KURT RANDALLCHARGED WITH: **FUGITIVE F/JUSTICE****Assistant UNITED STATES ATTORNEY**

AFFIANT'S SIGNATURE:

X

SUBSCRIBED AND SWORN TO BEFORE ME THIS

30THDAY OF **JULY** 2014**(JUDGE/DEPUTY CLERK) SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA**

36

2-1-10-10-1

United States of America

Case No. 2014-FC-16-

Defendant's name

Defendant's address

Defendant's phone no.

YOU ARE HEREBY RELEASED ON THE CONDITIONS INDICATED BELOW:

THESE CONDITIONS WILL BE IN EFFECT UNTIL YOUR CASE IS DISPOSED OF OR UNTIL

THEY ARE CHANGED OR AMENDED BY A JUDGE

<input type="checkbox"/>	PERSONAL PROMISE	PERSONAL RECOGNIZANCE Your personal recognizance, provided that you promise to appear at all scheduled hearings as required by the Court.	
<input type="checkbox"/>	UNSECURED APPEARANCE BOND	Your personal unsecured appearance bond, to be forfeited should fail to appear as required by the Court.	
<input type="checkbox"/>	SUPERVISORY CUSTODY	You hereby agree to be placed in the custody of _____ who agrees (a) to supervise you in accordance with the conditions below, (b) to use every effort to assure your appearance at all scheduled hearings, trials, or otherwise, and (c) to notify the D.C. Pretrial Services Agency immediately in the event you violate any condition of release or disappear. Agency telephone - 585-7077 _____ SIGNATURE OF CUSTODIAN _____ Custodian's name _____ Custodian's address _____ Custodian's phone no. _____	
<input type="checkbox"/>	YOU ARE TO STAY	<input type="checkbox"/> away from the complaining witness, _____ name	<input type="checkbox"/> within the D.C. area.
<input type="checkbox"/>	YOU ARE TO LIVE	<input type="checkbox"/> at _____ address	<input type="checkbox"/> phone no. _____
<input type="checkbox"/>	DRUGS	Report to D.C. Pretrial Services Agency, Room C-220, for: <input type="checkbox"/> Evaluation and if positive <input type="checkbox"/> Program placement by PSA <input type="checkbox"/> Placement in court ordered surveillance <input type="checkbox"/> Enroll in <input type="checkbox"/> Maintain participation at <input type="checkbox"/> PSA <input type="checkbox"/> ADASA <input type="checkbox"/> Other Refrain from illegal drug use.	
<input type="checkbox"/>	YOU ARE TO REPORT TO	<input type="checkbox"/> D.C. Pretrial Services Agency <input type="checkbox"/> Weekly <input type="checkbox"/> Other _____ <input type="checkbox"/> Probation Officer <input type="checkbox"/> Weekly <input type="checkbox"/> Other _____ <input type="checkbox"/> Parole Officer <input type="checkbox"/> Weekly <input type="checkbox"/> Other _____	<input type="checkbox"/> By Phone <input type="checkbox"/> In Person <input type="checkbox"/> By Phone <input type="checkbox"/> In Person <input type="checkbox"/> By Phone <input type="checkbox"/> In Person
<input type="checkbox"/>	REVIEW	You are to report to the D.C. Pretrial Services Agency at room C-301 immediately upon release for a review of conditions.	
<input type="checkbox"/>	YOU ARE TO	Refrain from committing any criminal offense, the penalties for which are explained on the reverse side of this order.	
<input checked="" type="checkbox"/>	OTHER	Extradition Hearing	
<input type="checkbox"/>	MONEY BOND OF \$5000	<input checked="" type="checkbox"/> CASH BOND. Upon execution of appearance bond, to be forfeited should you fail to appear as required by the Court, secured by deposit, such deposit to be returned when the Court determines you have performed the conditions of your release. You will deposit it in registry of the Court _____. <input type="checkbox"/> SURETY BOND Upon execution of appearance bond with approved surety.	
NEXT DUE BACK	on 8/27/14 in Courtroom 315 at 11:00 A.M.	YOUR ATTORNEY	
	If you have any questions about the date, time, or location CALL THE D.C. PRETRIAL SERVICES AGENCY AT 585-7077	PRO-SEE FARSTIA V. ALI, COURT REPORTER address phone no.	

DEFENDANT'S SIGNATURE

I understand the penalties which may be imposed on me for willful failure to appear or for violation of any condition of release and agree to comply with the conditions of my release and to appear as required.

WITNESSED BY

(title or agency)

IMPORTANT:

YOU ARE TO NOTIFY IMMEDIATELY THE D.C. PRETRIAL SERVICES AGENCY, 500 INDIANA AVE., N.W., ROOM C-301 TELEPHONE NUMBER 585-7077, OF ANY CHANGE OF ADDRESS, EMPLOYMENT, OR CHANGE IN STATUS OF ANY RELEASE CONDITIONS.

Date

7/30/14

SO ORDERED

Signature of Judge

 ITE - COURT JACKET
 EN - D.C. PRETRIAL SERVICES AGENCY
 IE - DEFENDANT

 YELLOW - DEFENSE ATTORNEY
 GOLD - CUSTODIAN
 PINK - U.S. ATTORNEY.

probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE (V.)

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE (VI.)

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

ARTICLE (VII.)

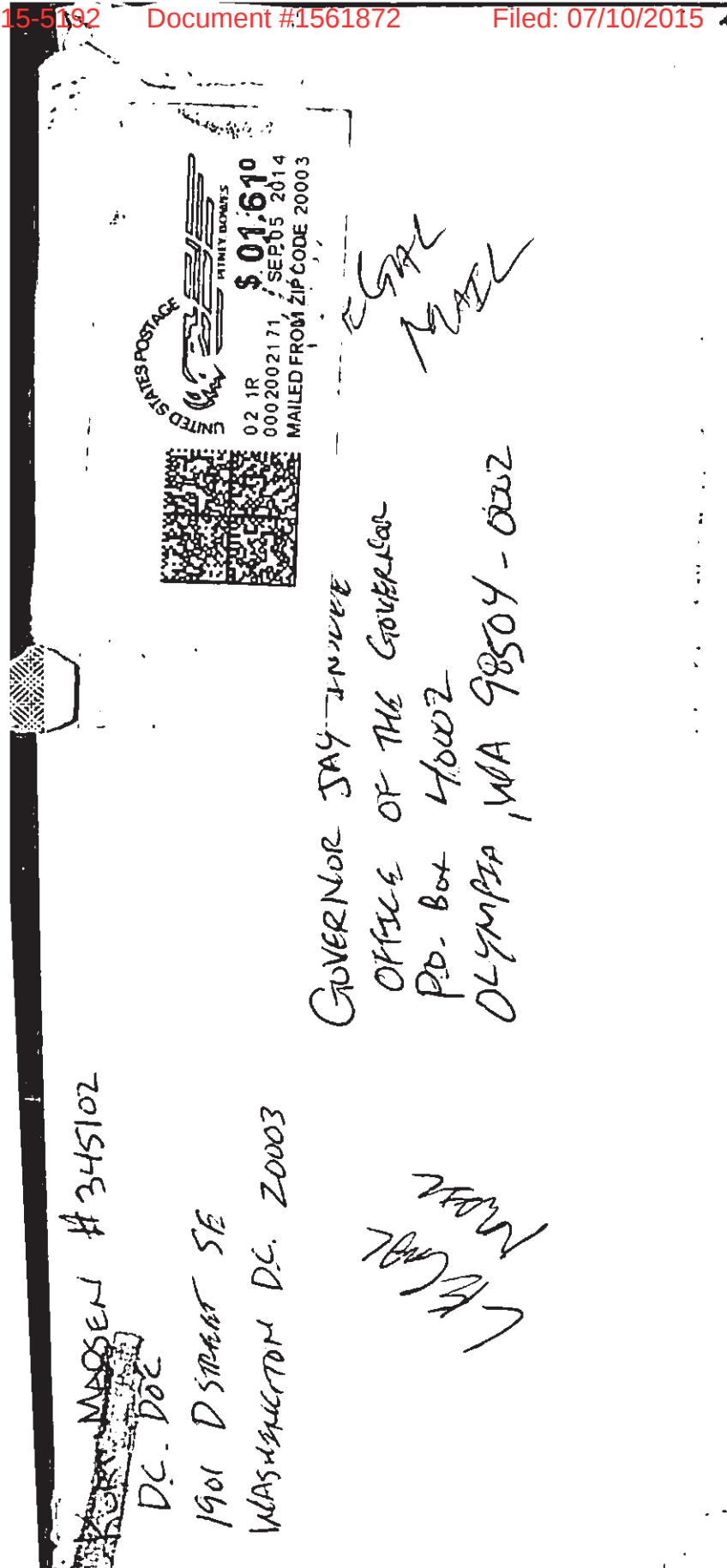
In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in the States. The dates of ratification were: New York, March 27, 1794; Rhode Island, March 31, 1794; Connecticut, May 8, 1794; New Hampshire, June 16, 1794; Massachusetts, June 26, 1794; Vermont, between October 9, 1794 and November 9, 1794; Virginia, November 18, 1794; Georgia, November 29, 1794; Kentucky, December 7, 1794; Maryland, December 26, 1794; Delaware, January 23, 1795; North Carolina, February 7, 1795.

Ratification was completed on February 7, 1795.

The amendment was subsequently ratified by South Carolina on December 4, 1797. New Jersey and Pennsylvania did not take action on the amendment.

(ARTICLE XII.)

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; - The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; - The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having



STATE OF WASHINGTON
Office of the Governor

September 25, 2014

Shavaka Melvin, Extradition Clerk
Superior Court of District of Columbia
United States Attorney's Office
555 – 4th Street NW
Washington, DC 20530

Dear Ms. Melvin:

At the request of Governor Inslee, I am enclosing an extradition requisition for the return to the State of Washington of


**KURT RANDALL MADSEN, aka KURT RANDAL MADSEN,
KURT RANDELL MADSEN, TROY MADSEN, JURT RONAL MADSEN,
TROY S. MADSEN, TROY RANDAL MADSEN, KURT RONDAL MADSEN,
TROY R. MADSEN, KURT R. MADSEN**

If this requisition is honored by you, please forward the necessary papers and the agent's appointment to: authorities Metropolitan Jail, Washington, DC, requesting that notification be forwarded to:

Patty Jordan
Records Management Supervisor
Department of Corrections
PO Box 41132
Olympia, WA 98504
(360) 725-8866

when the fugitive is available for release to the Washington agent.

Sincerely,


Susan M. Beatty
Legal Affairs Coordinator

Enclosures

cc: Patty Jordan

Jay Inslee
Governor
State of Washington

AGENT APPOINTMENT

To All To Whom These Presents Shall Come, Greeting:

I have this day issued upon his Excellency the Chief Judge of the Superior Court of the District of Columbia of a requisition for the arrest of **Kurt Randall Madsen, aka Kurt Randal Madsen, Kurt Randell Madsen, Troy Madsen, Jurt Ronal Madsen, Troy S. Madsen, Troy Randal Madsen, Kurt Rondal Madsen, Troy R. Madsen, Kurt R. Madsen**, who has fled from the justice of this State on account of his having been convicted herein of the crime of **Assault in the Second Degree, and thereafter escaped from community custody**.

I hereby appoint and constitute **Raymond Gorzynski or Thomas Shannon or designee** of State of Washington Department of Corrections, the Agent of this State to demand and receive from the said Chief Judge of the Superior Court of the District of Columbia or from his agents and offer and return the said fugitive from justice to the jurisdiction to be dealt with according to law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia, this 24 day of September, 2014.


Governor of Washington

BY THE GOVERNOR


Secretary of State

Jay Inslee
Governor
State of Washington

REQUISITION

To his Excellency the Chief Judge, Superior Court of the District of Columbia.

I certify that the annexed documents are authentic and are duly authenticated in accordance with the laws of this State, that it appears therefrom **Kurt Randall Madsen, aka Kurt Randal Madsen, Kurt Randell Madsen, Troy Madsen, Jurt Ronal Madsen, Troy S. Madsen, Troy Randal Madsen, Kurt Rondal Madsen, Troy R. Madsen, Kurt R. Madsen**, (the fugitive herein) stands convicted of the crime of **Assault in the Second Degree, and thereafter escaped from community custody** committed in this State, that the fugitive was personally present in Washington at the time of commission of said crime but has fled from Washington and is now found in the District of Columbia.

Therefore, pursuant to the provisions of the Constitution and the Laws of the United States, I hereby respectfully demand that the fugitive be apprehended and delivered to **Raymond Gorzynski or Thomas Shannon or designee of the Washington State Department of Corrections**, the duly appointed agent to receive and convey the fugitive to Washington.

IN WITNESS WHEREOF, I have signed this Requisition and caused the Seal of the State to be affixed at Olympia this 24 day of September, 2014.




Governor of Washington

BY THE GOVERNOR


Secretary of State



Bob Ferguson

ATTORNEY GENERAL OF WASHINGTON

PO Box 40116 • Olympia WA 98504-0116 • Phone (360) 586-1445

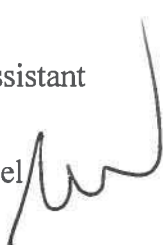
RECEIVED

SEP 23 2014

Office of the Governor

September 19, 2014

TO: Susan Beatty, Legal Affairs Assistant
Office of the Governor

FROM: Paul D. Weisser, Senior Counsel
for Extraditions and Clemency 

SUBJECT: The Matter of the Extradition of
**KURT RANDALL MADSEN aka KURT RANDAL MADSEN aka KURT
RANDELL MADSEN aka TROY MADSEN aka JURT RONAL MADSEN
aka TROY S. MADSEN aka TROY RANDAL MADSEN aka KURT
RONDAL MADSEN aka TROY R. MADSEN aka KURT R. MADSEN**

I am returning herewith the original and copies of the application for requisition of the Statewide Records Manager, Department of Corrections, State of Washington, for the extradition of the above-named person from the District of Columbia who stands convicted of the crime of **Assault in the Second Degree** and thereafter escaped from community custody, which application I have reviewed and noted my approval as to form thereon.

PDW:mm

Attachments



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
P.O. Box 41100 • Olympia, Washington 98504-1100

RECEIVED
SEP 18 2014

ATTORNEY GENERAL'S OFFICE
Corrections Division

September 17, 2014

Susan Beatty, Legal Affairs Coordinator/Executive Assistant
Office of the Governor
Legislative Building
Olympia, Washington 98504

RE: MADSEN, KURT RANDALL/DOC/964228
Requisition for extradition from Washington, District of Columbia

Dear Ms. Beatty:

Attached herewith is the requisition for the above named person, who escaped from Community Custody in Seattle, Washington. He is now in the custody of the Metropolitan Jail, Washington, District of Columbia.

Authorities in Washington, District of Columbia stipulate their deadline date for receipt of the Governor's Warrant is as soon as possible.

Please send a set of the Agent's Appointment and Governor's Demand to this office.

This office should be notified when it has been concluded KURT RANDALL MADSEN is available for transport to this jurisdiction.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patty Jordan".

Patty Jordan
Records Management Supervisor
Department of Corrections
Office of Correctional Operations

"Working Together for SAFE Communities"

DATE: 09-16-2014 05:38:05 AM Type: Received
SUBJECT: NLETS
Message:

FROM: DCMPD0000
TO: WA034595C

I-361 ATTN: WARRANT/FUGITIVE SECTION
REFERENCE: MADSEN, KURT RANDALL W/M DOB: 03-04-1969
WANTED BY YOUR DEPARTMENT FOR ESCAPE HAS DEMANDED AN EXTRADITION HEARING. THE
HEARING HAS BEEN SCHEDULED FOR 10-15-2014

YOU ARE DIRECTED TO OBTAIN YOUR GOVERNORS WARRANT AS SOON AS POSSIBLE. IF ANY
ADDITIONAL INFORMATION IS NEEDED, PLEASE CONTACT THE MPDC MAJOR VIOLATORS UNIT
AT 202-727-4279, AND REFER TO FUGITIVE CASE NUMBER FU#14-1273
PLEASE HAVE YOUR GOVERNORS REQUISITION PAPERS PREPARED TO READ AND BE FORWARDED
TO:

OFFICE OF THE UNITED STATES ATTORNEY
555 4TH STREET, NW
WASHINGTON, DC 20530
ATTN: MS. MELVIN

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE TO 202-727-4279 OR BY FAX
202-727-4280

TINSLEY CIC/TT 0837 HRS
09/16/2014, 05:38:05 - MKE: AM - Source: NLETS - From: DCMPD0000 - ISN:
045900BDRI - REF: UNKNOWN
=====

RECEIVED

SEP 18 2014

ATTORNEY GENERAL'S OFFICE
Corrections Division

Office of the Secretary
Department of Corrections
State of Washington
Olympia, Washington

APPLICATION FOR REQUISITION

To the GOVERNOR of the State of Washington:

I have the honor herewith to make application for a requisition upon the Office of the United States Attorney for the arrest and rendition of **MADSEN, KURT RANDALL/MADSEN, KURT RANDAL/MADSEN, KURT RANDELL/MADSEN, TROY/MADSEN, JURT RONAL/MADSEN, TROY S/MADSEN, TROY RANDAL/MADSEN, KURT RONDAL/MADSEN, TROY R/MADSEN, KURT R** who stands convicted in this state of the crime of **ASSAULT IN THE SECOND DEGREE** and, who, as appears from the accompanying proof, has escaped from Community Custody and is a fugitive from the justice of this state, and has taken refuge in the District of Columbia.

I HEREBY CERTIFY:

a. That the full name of the person for whom requisition is asked is **KURT RANDALL MADSEN**.

b. That an identification description of said fugitive, as of June 15, 2014 is as follows:

Race: White
Date of Birth: March 4, 1969
Height: 5'10"
Hair: Blonde
Eyes: Blue

c. That I have carefully examined the case, and verily believe that the facts stated in the accompanying proof are true, that the ends of public justice require that the fugitive be brought back to this state to serve the remainder of the term for which he was sentenced; that this application is made in good faith and not for the purpose of the collection of a debt, the enforcement of a civil remedy or any other private purpose and, when such offender is returned to this state, the criminal proceedings will not be used for any of said objects.

d. That no other application has been made for a requisition for this fugitive growing out of the transaction from which the charge herein originated.

e. That the fugitive is properly convicted in accordance with the laws of this state of the crime of **ASSAULT IN THE SECOND DEGREE**, a felony, in

the County of King, State of Washington, on or about the 6th day of January, 2012; and that thereafter the fugitive escaped from Community Custody and fled from the justice of the state; that the above listed conviction is still in full force and effect, and the maximum term of commitment has not expired; that the definition of aforesaid crime of which the fugitive is convicted, and the punishment therefore as prescribed by the laws of this state in Revised Code of Washington are as follows:

f. That to the best of my knowledge and belief the facts and circumstances surrounding the escape of the said **MADSEN, KURT RANDALL/MADSEN, KURT RANDAL/MADSEN, KURT RANDELL/MADSEN, TROY/MADSEN, JURT RONAL/MADSEN, TROY S/MADSEN, TROY RANDAL/MADSEN, KURT RONDAL/MADSEN, TROY R/MADSEN, KURT R** are as follows:

1. That in accordance with the Judgment and Sentence and Warrant of Commitment on the conviction, that is, in the Superior Court for King County for the crime of **ASSAULT IN THE SECOND DEGREE**, was received at the Washington Corrections Center on or about the 10th day of January, 2012, and on or about the 12th day of March, 2012, he was received at the Stafford Creek Corrections Center, and on or about the 26th day of March, 2013, he was received at Monroe Correctional Complex, and on or about the 26th day of May, 2013, he was transferred to Community Custody, and on or about the 16th day of June, 2014, the said **MADSEN, KURT RANDALL/MADSEN, KURT RANDAL/MADSEN, KURT RANDELL/MADSEN, TROY/MADSEN, JURT RONAL/MADSEN, TROY S/MADSEN, TROY RANDAL/MADSEN, KURT RONDAL/MADSEN, TROY R/MADSEN, KURT R** escaped from Community Custody, King County, Seattle, Washington, and is now in custody of the Metropolitan Jail, Washington, District of Columbia.

g. That the time and circumstances of his flight and the reasons for my belief as to where he may now be found are that shortly after said fugitive fled from Community Custody in the county of King, State of Washington, persistent efforts have been made to locate said fugitive, and that on or about the 15th day of September, 2014, said fugitive was located by the Metropolitan Police Department, Washington, District of Columbia, has been identified and is now under arrest at Metropolitan Jail, Washington, District of Columbia, awaiting the issuance of a requisition as herein requested.

h. That in support of this application, the following papers, all of which are true and correct copies, are hereto annexed:

1. Judgment and Sentence
2. Judgment and Sentence (Amended)
3. Felony Warrant of Transfer to Department of Corrections
Pending Appeal
4. Fingerprints
5. Photograph
6. Order of Release
7. Conditions, Requirements and Instructions
8. Report of Alleged Violation with Supplemental Reports
9. Secretary's Warrant

That I have carefully examined said papers; that all papers purporting to be copies are true and correct copies, together with all endorsements and filing marks to be found on the originals thereof; that the duplicate and triplicate copies of the petition submitted herewith, together with all the papers thereto attached and all endorsements therein and certifications thereof are exact reproductions of the petition and attachment.

I hereby nominate Raymond Gorzynski and/or Thomas Shannon and/or any designated agent, officers of the Washington State Department of Corrections, as proper agents to be appointed and commissioned by you as the agents of the State of Washington to receive said fugitive and bring him back to the state and deliver him unto the custody of the Washington State Department of Corrections, and I further certify that such persons have no personal or private interest in the arrest of said fugitive.

I hereby certify that the facts set out in the foregoing application are true, as I verily believe. That I am the Correctional Records Program Administrator, Department of Corrections, and as such am authorized to make and execute this application.

Respectfully Submitted,



WENDY STIGALL
Correctional Records Program Administrator
Department of Corrections
State of Washington
Olympia, Washington

APPROVED AS TO FORM
Attorney General of the
State of Washington

SEP 22 2014

By 
Assistant Attorney General



MADSEN, Kurt R.

964228

11-1-10408-3

Offender Name

DOC Number

Cause Number

DOB 3/4/1969

Sex Male

Race White

FBI 264511JA6

SSN 535-74-5643

TO ANY SHERIFF, POLICE, PEACE OFFICER, LAW ENFORCEMENT OFFICER,
AND COMMUNITY CORRECTIONS OFFICER:

There is reasonable cause to believe the above named person, having been convicted of a felony or misdemeanor in a Superior Court of the state of Washington and committed to the custody of the Department of Corrections, has violated a condition of Community Custody. Pursuant to RCW 9.94A.6331 and RCW 9.94A.716, you are authorized and directed to arrest the offender and place him or her in total confinement pending disposition of the violation. Offenders shall be detained in a county jail or equivalent local correctional facility. If detention in a county jail or equivalent local correctional facility is not available, the felony offender may be placed in a state correctional facility. Misdemeanor offenders shall not be placed in a state correctional facility.

SEX OFFENDER EXCEPTIONS:

- ☐ The offender is serving a term of Community Custody imposed pursuant to the sex offender sentencing alternative, and shall be detained in a county jail or local correctional facility.
- ☐ The offender is serving a term of community custody for a sex offense committed on or after June 6, 1996, and before July 1, 2000, and having completed the maximum term of total confinement, shall be detained in a county jail or local correctional facility.

NOT SUBJECT TO BAIL
DAY OR NIGHT SERVICE AUTHORIZED

Leslie O'Connor

Community Corrections Officer

06/16/2014

Date

COPY SERVED THIS _____ day of _____, _____

Served by: _____ Received By: _____

Position: _____ Date Received: _____

LEO/ LEO /09-239.doc
6/16/2014

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

DOC - REPORT OF ALLEGED VIOLATION

REPORT TO: DOC Hearing Unit

DATE: 06/16/2014
DOC NUMBER: 964228
FOS NUMBER:

OFFENDER NAME: MADSEN, Kurt R.
Madsen, Kurt
Madsen, Kurt R
Madsen, Kurt Randal
Madsen, Kurt Randell
AKA: Madsen, Kurt Ronal
Madsen, Kurt Rondal
Madsen, Troy
Madsen, Troy R
Madsen, Troy Randal
Madsen, Troy S
DOB: 3/4/1969

CRIME: Assault 2 - Intentional and causes
substantial bodily harm
COUNTY: King 11-1-10408-
CAUSE #: 3(AC) (KNT)
DATE OF SENTENCE: 7/23/2012

SENTENCE: 18 months Community Custody Prison
HOMELESS
LAST KNOWN ADDRESS: HOMELESS KENT, KENT
WASHINGTON
Kent, WA 98042
TERMINATION DATE: TOLLING

MAILING ADDRESS: Unknown
STATUS: Field
CLASSIFICATION: HV

PREVIOUS ACTION:

On October 28, 2013, a hearing was held at which Mr. Madsen was found guilty of failing to report to the Department of Corrections as directed and failing to provide a valid address. Mr. Madsen was sanctioned to 11 days confinement.

On December 3, 2013, a hearing was held at which Mr. Madsen was found guilty of failing to report to the Department of Corrections, failing to reside at an approved address, failing to be available for urinalysis testing, failing to abide by CCS Conaty's directive to exit a residence, and failing to allow the Department of Corrections access to a residence. Mr. Madsen was sanctioned to 30 days confinement.

On April 2, 2014, a hearing was held at which Mr. Madsen was found guilty of failing to report to the Department of Corrections, failing to be available for urinalysis testing, and failing to provide a valid address. Mr. Madsen was sanctioned to 17 days confinement.

On June 11, 2014, a hearing was held at which Mr. Madsen was found guilty of failing to report to the Department of Corrections, failing to be available for urinalysis testing, failing to provide a valid address, failing to complete a homeless verification form, and failing to pay toward legal financial obligations. Mr. Madsen was sanctioned to 10 days jail.

ALLEGATIONS AND SUPPORTING EVIDENCE:

The above named offender has violated conditions of supervision by:

Allegation 1:

Failing to report to the Department of Corrections as directed since on or about June 12, 2014.

Allegation 2:

Failing to be available for urinalysis testing since on or about June 12, 2014.

Allegation 3:

Failing to provide a valid address since on or about June 12, 2014.

Allegation 4:

Failing to provide verification of obtaining a mental health evaluation since on or about June 12, 2014.

Allegation 5:

Failing to provide verification of obtaining a chemical dependency evaluation since on or about June 12, 2014.

Allegation 6:

Failing to pay toward legal financial obligation since on or about June 12, 2014.

WITNESS(ES): A Department of Corrections Community Corrections Officer will testify.

Allegations 1-5 (Combined for brevity and clarity):

On July 23, 2012, Mr. Madsen was sentenced under King County Superior Court cause 11-1-10408-3. Per the Judgment and Sentence, Mr. Madsen was ordered to serve 18 months community custody. On October 21, 2013, Mr. Madsen was served with the Department of Corrections Conditions, Requirements and Instructions Form. Although Mr. Madsen refused to sign the documents, he received copies and was advised that he responsible to abide by the conditions of supervision including reporting to and being available for contact by the Department of Corrections. Additionally, Mr. Madsen was advised of his requirement to be available for urinalysis testing and provide a valid address. On November 21, 2013, Mr. Madsen was served with imposed conditions of obtaining mental health and chemical dependency evaluations. Mr. Madsen was unable to sign the conditions due to his custody placement, but the

conditions were read to him and he was provided a copy.

On June 12, 2014, Mr. Madsen released from SCORE jail with directions to report to the Department of Corrections within one business day. According to chronological entries as well as a lack of kiosk sessions and offender reports, Mr. Madsen failed to report to the Department of Corrections upon release from custody. Additionally, he has not provided a valid address, made himself unavailable for urinalysis testing, or provided verification of obtaining required evaluations. On 6/16/2014, Mr. Madsen was unable to be located at local jails and hospitals and a Secretary's Warrant was issued. As of this date, Mr. Madsen's whereabouts remain unknown.

Allegation #6:

On July 23, 2012, Mr. Madsen was sentenced under King County Superior Court cause 11-1-10408-3. Per the Judgment and Sentence, Mr. Madsen was ordered to serve 18 months community custody. On October 21, 2013, Mr. Madsen was served with the Department of Corrections Conditions, Requirements and Instructions Form. Although Mr. Madsen refused to sign the documents, he received copies and was advised that he responsible to abide by the conditions of supervision including paying legal financial obligations totaling \$5,825.21. According to the King County Superior Court Clerk, Mr. Madsen has failed to make a payment toward his legal financial obligations.

ADJUSTMENT AND SUPERVISION SUMMARY:

Mr. Madsen is classified as a High Violent offender. Mr. Madsen is either unwilling or unable to abide by the conditions of his supervision at this time. Mr. Madsen remains hostile to supervision which negates the Department's ability to assess his risk to community safety.

RECOMMENDATION/JUSTIFICATION:

It is respectfully recommended Mr. Madsen be sanctioned to 30 days jail.

I certify or declare under penalty of perjury of the laws of the state of Washington that the foregoing statements are true and correct to the best of my knowledge and belief.

Submitted By:

Approved By



9/15/14
Date

Kathleen Johnson 9/15/14
Date

Leslie O'Connor
Community Corrections Officer
Seattle Metro 2
1550 4Th Ave. South, Ms:Tb-12A
Seattle WA 98134
Telephone: (206) 516-7783

Kathleen Johnson
Community Corrections Supervisor

LEO/LEO/3/10/2014

STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONSDOC- SUPPLEMENTAL REPORT OF
ALLEGED VIOLATION

REPORT TO:	DOC Hearing Unit	DATE:	8.4.14
OFFENDER NAME:	MADSEN, Kurt R. Madsen, Kurt Randal Madsen, Kurt Randell Madsen, Kurt Ronal Madsen, Kurt Rondal	DOC NUMBER:	964228
AKA:	Madsen, Troy Madsen, Troy R Madsen, Troy Tandal Madsen, Troy S	FOS NUMBER:	
CRIME:	Assault 2 - Intentional and Causes Substantial Bodily Harm	DOB:	03.04.1969
SENTENCE:	18 months Community Custody	KING COUNTY CAUSE #:	AC 11-1-10108-3 KNT
Last Known Address:	Homeless Kent, Wa 98042	DATE OF SENTENCE:	07.23.2012
MAILING ADDRESS:	Unknown	TERMINATION DATE:	TOLLING
		STATUS:	Field
		CLASSIFICATION:	HV

This report supplements the Report of Alleged Violation dated, 6.16.2014, a copy of which is attached.

NEW ALLEGATION(S) SPECIFIED: The above-named offender has violated conditions of supervision by:

Allegation 7:

Leaving the State of Washington without permission on or about 7.29.14.

WITNESS(ES):

A Department of Corrections Community Corrections Officer will testify.

SUPPORTING EVIDENCE:

On 7.23.12, Kurt R. Madsen was sentenced in King County Court on cause AC 11-1-10408-3 KNT. At that time, he was directed to perform affirmative acts necessary to monitor compliance with the orders of the Court as required by the Department of Corrections and shall comply with the instructions, rules and regulations of the Department of Corrections for the conduct of Mr. Madsen during the period of community custody and any other conditions of community custody as stated in the Judgment and Sentence or other conditions imposed by the Court or Department of Corrections during community custody.

More specifically, Madsen was directed to abide by the following Court-ordered conditions: report to and be available for contact with assigned Community Corrections Officer as directed, advise CCO of any change of address, secure written permission from the Community Corrections Officer before leaving Washington State, submit to random urinalysis testing as directed by CCO and to pay all legal financial obligations as set forth by the Court and/or the Department. In addition, Madsen was directed to abide by the following Department of Corrections imposed conditions: complete a chemical dependency evaluation as directed and sign necessary releases of information and complete a mental health evaluation as directed and sign necessary releases of information.

An intake was completed on 10.21.13 for cause AC 11-1-10408-3 KNT. Madsen refused to sign any of the paperwork to include the Department of Corrections Standard Conditions, Requirements and Instructions form and the Swift and Certain orientation form. He was informed that though he refused to sign his intake paperwork, the conditions remain in effect.

Allegation 7:

On 7.28.14, I received a phone call from U.S. Marshall Knight regarding Madsen. He informed me they are actively looking for Madsen as they would like to speak to him about some recent paperwork he filed with the Court. Marshall Knight provided me with his contact information and requested he be contacted immediately should I hear anything about Madsen's whereabouts and/or any status changes.

On 7.29.14, I received the following information via email from the Department of Corrections Headquarters Warrants desk:

****PHONE CALL**** I received a phone call from a TC a few minutes ago about offender Madsen. She lives in Washington DC and said she met the offender a few weeks ago. TC is a law student and the offender asked her to help him with some paperwork for a law suit that he is filing. She received an email from Madsen 12 days ago with the paperwork he was working on. TC didn't know the offenders last name until she received the email. She got an uneasy feeling about Madsen so she decided to Google his name and she saw that he was wanted in Washington. TC said that he is frequently at the Georgetown Law Library and the Library of Congress at the Madison Bldg. She had told Madsen that she lived on K Street and he told her that he lived close by. TC said that she did contact the Marshalls there in DC. Can you pass this information on to US Marshall Arnold Knight or I can call him?

Upon receiving the information, I contacted Marshall Knight, who was also aware of Madsen's possible location. He said he would contact me with any updates. Later that afternoon, I received a phone call from U.S. Marshall Saunders from Washington D.C. requesting some additional information about Madsen to include his current offense, his behavior while on supervision and his criminal history. I compiled a packet and emailed the requested information to Marshall Saunders.

At approximately 2:30p, I was notified by Marshall Saunders that Madsen was located at the Georgetown University Law Library in Washington DC and had been taken into custody without incident.

The Department of Corrections Headquarters Warrants desk received confirmation of Madsen's apprehension in the early hours of 7.30.14; Marshall Knight was notified accordingly.

SUBSEQUENT DEVELOPMENT:

Effective 7.31.14, a Governor's warrant is being processed as Madsen refused to sign the extradition waiver.

DISPOSITION RECOMMENDATION:

Madsen is currently classified as a High Violent offender. This is his fourth Swift and Certain violation on the current cause. According to the Behavior Accountability Guide, Madsen is eligible to receive up to 30 days confinement.

It is my recommendation that the original requested sanction of 30 days confinement be upheld. I further request the following:

1. Report to the Department of Corrections within one business day of release from all confinement at 830 Virginia Street, Seattle, Wa 98101.
2. Provide a valid address upon release.
3. Obey all facility rules and regulations while in custody.

*****Failure to abide by the above-listed sanctions WILL result in further violation(s). *****

I certify or declare under penalty of perjury of the laws of the state of Washington that the foregoing statements are true and correct to the best of my knowledge and belief.

Submitted By:

Approved By:

Emily Isaacs 9.15.14
DATE

Emily Isaacs
COMMUNITY CORRECTIONS OFFICER 2
Seattle Metro 265
830 Virginia Street
Seattle, Washington 98101
Telephone (206) 615 - 0452

Kathleen Johnson 9/15/14
DATE

Kathleen Johnson
COMMUNITY CORRECTIONS SUPERVISOR
Seattle Metro 265
Telephone 206.516.7757

CCO/CCO/09-126
08.04.2014

Distribution: COMMUNITY
CUSTODY
DOSAI

If DOC
Hearing: FOS

ORIGINAL: Hearing Officer/File (via Discovery Packet)
COPY: Offender (via Discovery Packet), Field File.
ORIGINAL: Hearing Officer / File, (via Discovery Packet)
COPY: Offender (via Discovery Packet), Court (by Hearings Unit following DOC hearing), Must be forwarded within 72 hours of Hearing.
ORIGINAL: Hearing Officer / File, (via Discovery Packet)
COPY: Offender (via Discovery Packet), Field File, Sending State (by Hearing Unit following DOC hearing).

STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONSDOC- SUPPLEMENTAL REPORT OF
ALLEGED VIOLATION

REPORT TO:	DOC Hearing Unit	DATE:	6.16.14
OFFENDER NAME:	MADSEN, Kurt R. Madsen, Kurt Randal Madsen, Kurt Randell Madsen, Kurt Ronal Madsen, Kurt Rondal	DOC NUMBER:	964228
AKA:	Madsen, Troy Madsen, Troy R Madsen, Troy Tandal Madsen, Troy S	FOS NUMBER:	
CRIME:	Assault 2 - Intentional and Causes Substantial Bodily Harm	DOB:	03.04.1969
SENTENCE:	18 months Community Custody	KING COUNTY CAUSE #:	AC 11-1-10108-3 KNT
Last Known Address:	Homeless Kent, Wa 98042	DATE OF SENTENCE:	07.23.2012
MAILING ADDRESS:	Unknown	TERMINATION DATE:	TOLLING
		STATUS:	Confinement
		CLASSIFICATION:	HV

This report supplements the Report of Alleged Violation dated, 6.16.2014, a copy of which is attached.

NEW ALLEGATION(S) SPECIFIED: The above-named offender has violated conditions of supervision by:

Allegation 8:

Failing to report to the Department of Corrections within one business day of release from confinement on 8.27.14.

Allegation 9:

Failing to provide a valid address to the Department of Corrections since 8.27.14.

Allegation 10:

Failing to provide proof of completing a mental health evaluation since 8.27.14.

Allegation 11:

Failing to provide proof of completing a chemical dependency evaluation since 8.27.14.

Allegation 12:

Failing to be available for random urinalysis testing since 8.27.14.

Allegation 13:

Being in the District of Columbia without permission on or about 9.15.14.

WITNESS(ES):

A Department of Corrections Community Corrections Officer will testify.

SUPPORTING EVIDENCE:

On 7.23.12, Kurt R. Madsen was sentenced in King County Court on cause AC 11-1-10408-3 KNT. At that time, he was directed to perform affirmative acts necessary to monitor compliance with the orders of the Court as required by the Department of Corrections and shall comply with the instructions, rules and regulations of the Department of Corrections for the conduct of Mr. Madsen during the period of community custody and any other conditions of community custody as stated in the Judgment and Sentence or other conditions imposed by the Court or Department of Corrections during community custody.

More specifically, Madsen was directed to abide by the following Court-ordered conditions: report to and be available for contact with assigned Community Corrections Officer as directed, advise CCO of any change of address, secure written permission from the Community Corrections Officer before leaving Washington State, submit to random urinalysis testing as directed by CCO and to pay all legal financial obligations as set forth by the Court and/or the Department. In addition, Madsen was directed to abide by the following Department of Corrections imposed conditions: complete a chemical dependency evaluation as directed and sign necessary releases of information and complete a mental health evaluation as directed and sign necessary releases of information.

An intake was completed on 10.21.13 for cause AC 11-1-10408-3 KNT. Madsen refused to sign any of the paperwork to include the Department of Corrections Standard Conditions, Requirements and Instructions form and the Swift and Certain orientation form. He was informed that though he refused to sign his intake paperwork, the conditions remain in effect.

Allegation 8-13 (Combined for Brevity and Clarity):

On 7.29.14, I was notified by United States Marshall Saunders that Madsen was located at the Georgetown University Law Library in Washington, D.C. and had been taken into custody without incident. The Department of Corrections Headquarters warrants desk received confirmation of Madsen's apprehension in the early hours of 7.30.14.

On 7.31.14, the Department of Corrections Headquarters warrants desk was notified that Madsen refused to sign the waiver of extradition; a Governor's warrant was initiated at that time. A Report of Alleged Violations outlining Madsen's violations, a Supplemental Report of Alleged Violations and a copy of his signed conditions of supervision were submitted to Headquarters for the Governor's warrant packet on 8.4.14. The Governor's warrant packet was subsequently sent to the Governor's office on 8.7.14.

On 8.26.14, I received a voicemail from an Officer Pennington of the Metropolitan Police Department Fugitive Unit stating Madsen had an extradition hearing for Washington State. Furthermore, Officer Pennington wanted to know if Madsen had turned himself in and if so, what his current whereabouts were. I contacted Headquarters requesting an update on Madsen's whereabouts as I had not received any information indicating he had been released from confinement in Washington, D.C. I received an email from Headquarters a short time later indicating the Governor's warrant left the Governor's office on 8.17.14 and Washington State had not received any notification that the warrant had been served on Madsen. Headquarters then contacted the District of Columbia Metropolitan Police Department Jail and confirmed Madsen was still in their facility; the jail was notified that the Governor's warrant was en route to their facility.

On 8.27.14, I received notification Madsen was released from the District of Columbia Department of Corrections. I received an additional email from United States Marshall Knight stating Madsen was released on 8.27.14 due to the Washington State Department of Corrections failure to pick him up; I forwarded this email to Headquarters, who in turn contacted the Metropolitan Police Department Jail and was informed Madsen had gone to Court that morning and was released on his own recognizance by a Judge despite a no bail hold from Washington.

The Secretary's warrant originally issued on 6.16.14 was subsequently re-entered into the system.

Madsen is required to report within one business day of release from all confinement per the Department's Standard Conditions, Requirements and Instructions form, which he was presented with on 10.21.13; he refused to sign them but was informed the conditions and expectations remain in effect. Madsen failed to report to the Washington State Department of Corrections after his release from confinement made no effort to contact the Department in any manner.

Since he failed to report, Madsen failed to make himself available for random urinalysis testing, which is required of him while on supervision. Furthermore, Madsen has yet to provide proof of his participation in mental health and chemical dependency treatments, both of which are required of him while on supervision.

Madsen's whereabouts remain unknown at this time.

SUBSEQUENT DEVELOPMENT:

On 9.15.14, I received notification Madsen was apprehended by the District of Columbia Metropolitan Police Department and remains in their custody at this time.

DISPOSITION RECOMMENDATION:

Madsen is currently classified as a High Violent offender. This is his fourth Swift and Certain violation on the current cause. According to the Behavior Accountability Guide, Madsen is eligible to receive up to 30 days confinement.

It is my recommendation that the original requested sanction of 30 days confinement be upheld. I further request the following:

1. Report to the Department of Corrections within one business day of release from all confinement. Specifically, you are to report to the Seattle Police Department West Precinct Outstation located at 830 Virginia Street, Seattle, Wa 98101.
2. Provide a valid address upon release.
3. Obey all facility rules and regulations while in custody.

****Failure to abide by the above-listed sanctions WILL result in further violation(s).****

I certify or declare under penalty of perjury of the laws of the state of Washington that the foregoing statements are true and correct to the best of my knowledge and belief.

Submitted By:

Approved By:

Emily Isaacs 9.15.14
DATE

Emily Isaacs
COMMUNITY CORRECTIONS OFFICER 2
Seattle Metro 265
830 Virginia Street
Seattle, Washington 98101
Telephone 206.615.0452

Kathleen Johnson 9/15/14
DATE

Kathleen Johnson
COMMUNITY CORRECTIONS SUPERVISOR
Seattle Metro 265
Telephone 206.516.7757

CCO/CCO/09-126
08.04.2014

Distribution:	COMMUNITY CUSTODY	ORIGINAL: Hearing Officer/File (via Discovery Packet) COPY: Offender (via Discovery Packet), Field File.
	DOSA I	ORIGINAL: Hearing Officer / File, (via Discovery Packet) COPY: Offender (via Discovery Packet), Court (by Hearings Unit following DOC hearing), Must be forwarded within 72 hours of Hearing.
If DOC Hearing:	FOS	ORIGINAL: Hearing Officer / File, (via Discovery Packet) COPY: Offender (via Discovery Packet), Field File, Sending State (by Hearing Unit following DOC hearing).
If NO DOC Hearing:	FOS	ORIGINAL: Sending State COPY: Field File

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.



CONDITIONS, REQUIREMENTS, AND INSTRUCTIONS

Offender MADSEN, Kurt R.	DOC # 964228	FOS#	County/Cause # King 11-1-10408-3(AC) (KNT)
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State:

Interstate Compact Supervision Type: ☐ Parole ☐ Probation ☐ Special:

- I understand that under the provisions of RCW 9.94A or 9.95 or 9.95.270 or 10.77, I am subject to all conditions and requirements the court/Indeterminate Sentence Review Board/Department of Corrections (DOC) has imposed and that the terms of supervision can be revoked, modified, or changed at any time during the course of supervision. Furthermore, I understand that I am under the supervision of the Department of Corrections and that I must comply with the instructions of the Department herein. Should I violate any of these conditions, requirements, or instructions, I understand that I will be sanctioned by the court/Indeterminate Sentence Review Board/DOC Hearing Officer if I am found to have committed the violation(s). I have signed and received a copy of DOC 09-274 Offender Notification of Department Violation Process.

Sign with Initials

Refused to sign

STANDARD CONDITIONS:

- Secure written permission from the Community Corrections Officer (CCO) before leaving Washington State.
- Remain within a geographic area as directed by the DOC as follows: King County
- Obtain written permission from the CCO before traveling outside the county in which you reside, unless advised in writing by the CCO that it is not necessary to do so.
- Notify the CCO before changing residence or employment.
- If your sex offense was committed on or after 6/6/96, with a minor child-victim, you must avoid contact with victim or minor children of similar age or close proximity where minors congregate, UNLESS authorized by the CCO.
- Abide by written or verbal instructions issued by the CCO.
- Abide by any DOC imposed conditions (or court/Indeterminate Sentence Review Board approved conditions for Pre-SRA and Community Custody Board offenders).
- Obey all laws. Causes under court/Indeterminate Sentence Review Board Jurisdiction require imposition by the court/ISRB.
- Based on eligibility, enter and successfully complete identified interventions to assist you to improve your skills, relationships, and ability to stay crime free.

Offenders from out of state (FOS), who are being supervised by DOC, and who have been designated as being "victim sensitive" by the sending state, must secure written permission from their CCO prior to changing address, returning to the sending state, or obtaining a travel permit. CCOs will notify the Washington Interstate Compact Office of the change or request.

COURT ORDERED CONDITIONS/REQUIREMENTS:

- I have received a copy of the Judgment and Sentence on this cause, and have read and understand its requirements.

Sign with Initials

COURT ORDERED CONDITIONS

(AC)

Intake

Paperwork

To Be

Completed

Order Type	Condition	Effective Date	End Date
Court Ordered	Have no contact with specified businesses	3/20/2012	1/6/2022
Court Ordered	Pay all court ordered legal financial obligations and/or restitution as directed by CCO	1/10/2012	
Court Ordered	Remain within or outside of geographical boundaries as specified	1/10/2012	
Court Ordered	Notify CCO of any change in employment	1/10/2012	
Court Ordered	Advise CCO of change of address	1/10/2012	
Court Ordered	Do not have direct or indirect contact with any victim	1/11/2012	1/10/2022
Court Ordered	Obtain permission from CCO before changing residence	1/10/2012	
Court Ordered	Do not purchase own have in your possession or under your control any firearm or deadly weapon	1/10/2012	
Court Ordered	Perform affirmative acts as ordered by court and/or Department of Corrections	1/10/2012	
Court Ordered	Pay cost of supervision fees to Department of Corrections as directed by CCO	1/10/2012	
Court Ordered	Do not use/possess/consume any controlled substances without a lawfully issued prescription	1/10/2012	
Court Ordered	Notify CCO upon receipt of a prescription for controlled substances	1/10/2012	
Court Ordered	Submit to DNA blood draw and testing as directed	1/10/2012	
Court Ordered	Do not consume controlled substance except pursuant to lawfully issued prescriptions	1/10/2012	
Court Ordered	Maintain lawful employment & provide proof of employment to DOC staff as directed	1/10/2012	
Court Ordered	Maintain Educational	1/10/2012	
Court Ordered	Report to and be available for contact with assigned community corrections officer as directed	1/10/2012	

FINANCIAL OBLIGATIONS: (NOT APPLICABLE TO FOS CASES)

- The court has ordered me to pay Legal Financial Obligations (LFOs), including accrued interest. I am required to make payments under the following cause numbers and in the amounts listed:

Restitution: \$4,269.58

Court Costs: \$100.00

Attorney Fees: \$0.00

Fine: \$0.00

Victim's Compensation: \$500.00

Other: \$0.00

Drug Fund: \$0.00

Lab Fee:

I agree to pay not less than \$25.00 per month beginning 7/20/13 to the Clerk of King County, located at 516 3rd Ave., Room 609E, Seattle, WA 98104 until my financial obligation is paid in full.

COMMUNITY SERVICE HOURS:

☐ Complete _____ hours of community service at a rate of _____ hours per ☐ week ☐ month as directed by the DOC. Report as directed to the DOC.

REPORTING INSTRUCTIONS:

- I am required to report and be available for contact with the assigned CCO as directed until instructed to no longer report, or a court order is issued closing the case.
 - DOC staff may make contact with you outside of the office at your residence, at your place of employment, or other known areas that you may be located at.
- I am required to report in person to the Department within one business day of release from any confinement or a warrant may be issued for my arrest.

Report to: Fred Johnson Reporting Time, if applicable: Before 2pm or as scheduled
 Address: Seattle Community Justice Center, 1550 4th Ave So., Seattle, WA 98134
 Telephone: (206) 516-7781

Reporting Instructions: In person on the day(s) listed below, or as otherwise directed by my CCO.

☐ 1st ☐ 2nd ☐ MONDAY ☐ TUESDAY
☐ 3rd ☐ 4th ☐ WEDNESDAY ☐ THURSDAY ☐ FRIDAY
☒ Other: In person as instructed and be available for residential and employment check within 1 Business Day of any release from jail treatment or
COST OF SUPERVISION/SUPERVISION INTAKE FEE: Police Contact

I will be assessed a Cost of Supervision (COS)/Supervision Intake Fee once my risk level classification has been determined. If my date of offense was prior to October 1, 2011, the amount charged will vary depending on my risk level classification and the length of supervision ordered. If my date of offense was on or after October 1, 2011, I will be charged \$475 for each cause for which I am under supervision. I will be provided with a billing statement which will include my COS/Supervision Intake Fee information and the balance due amount.

- I agree to pay not less than 25 per month beginning my until my COS/Supervision Intake Fee balance is paid in full. Beginning my I will pay my COS/Supervision Intake Fee in one of the following ways: By mail in the form of a personal check, cashier's check, or money order, with my name and DOC number printed on it, made payable to: Department of Corrections, PO Box 9700, Olympia WA 98507-9700; through JPay at www.jpay.com; by phone at 1-800-574-5729; or at any MoneyGram

NOTICES:

Firearms: I have been advised and understand that if I have been convicted of a crime in category listed below I am prohibited by law from owning, possessing, receiving, shipping, or transporting a firearm, ammunition, or explosives. I understand the prohibition extends to every sort of gun, rifle, or explosive device or similar device, including the frame or receiver of firearms. I understand that this may also be a violation of my supervision per RCW 9.94A.505.

- Any Felony Offense
 - Misdemeanor Offense (RCW 9A.41.040, 10.99.020) – Includes the following misdemeanor offenses, when committed by one family or household member against another, committed on or after July 1, 1993:
 - Stalking* (RCW 9A.46.110)
 - Assault 4 (RCW 9A.36.041)
 - Reckless Endangerment 2 (RCW 9A.36.050)
 - Coercion (RCW 9A.36.070)
 - Violation of a Protective Order-No Contact (RCW 10.89.040)*, (RCW 26.50.060, 070, 130)
- *Can also be a felony offense.

I further understand that I should seek legal advice if I wish to possess a firearm after I am discharged from supervision.

- Body Armor:** I have been advised and understand that, per Title 18, United States Code, Section 931, I am not authorized to possess body armor. I understand that possession constitutes a violation of supervision.
- Arrest, Search, and Seizure:** I am aware that I am subject to search and seizure of my person, residence, automobile, or other personal property if there is reasonable cause on the part of the Department of Corrections to believe that I have violated the conditions/requirements or instructions above. I am also aware that, for the safety and security of Department staff, I am subject to a pat search or other limited security search without reasonable cause when I am in, on, or about to enter Department premises, and when I am about to enter a Department vehicle.
- Threats to Staff:** I am aware that if I threaten any Department of Corrections staff or contractors I may be arrested and charged under RCW 9A.46.020, and that this may also be a violation of my supervision. Sign with initials
- Obstructing a CCO:** I am aware that if I obstruct a CCO who is performing their official duties I may be arrested and charged under RCW 9A.76.020 and that this may also be a violation of my supervision. Sign with initials

- Assaults on Staff:** I am aware that if I assault any DOC employee or contractor I may be arrested and charged under RCW 9A.36 and that this may also be a violation of my supervision. Sign with initials

Using Restraints on Pregnant Females: If I am female, I have received the DOC brochure on using restraints on pregnant women or youth.

Staff Sexual Misconduct: I am aware that sexual contact between a DOC offender and DOC employee or contractor is a violation of Washington State Law under RCW 9A.44.160. Any allegation of staff sexual misconduct will be

Investigated. I understand the Department has a zero tolerance for staff sexual misconduct and that there is no such thing as consensual sex between a DOC employee, contractor, volunteer or any person providing services in a correctional facility or office and a person under correctional supervision. I understand the reporting process for staff sexual misconduct and that I may report any staff sexual misconduct to any staff member or by calling 1-800-586-9431.

- **Imposed Conditions:** I am aware that I must submit a written request to the Field Administrator within 48 hours of being served with a DOC Imposed Condition if I wish to appeal the condition.
- **Access to Residence/Dangerous Animals:** I will allow DOC staff unrestricted access to my residence. This includes the control or securing of dangerous animals.
- **Confinement Expectations:** I have been advised, while on supervision/probation, I am required to comply with all facility rules and regulations of the confining facility for any period of confinement. Failure to abide by facility rules and regulations may be addressed through additional violation hearings and sanctions.
- **Tolling:** I have been advised that those periods that I am unavailable for supervision (i.e., jail, on abscond status) will not count towards my supervision period (FOS Cases subject to Home State rules regarding tolling).
- **Grievance Procedure:** The DOC grievance procedures have been explained to me and I understand them.
- **Computerized Billing System:** I am aware I will receive a monthly bill from the Department of Corrections for each cause number on which I owe Legal Financial Obligations. I understand I am to mail the stub along with my payment to the appropriate County Clerk. (Not Applicable to FOS Cases)
- **Debt:** I have been advised and understand that failure to make payments toward my legal financial obligations as scheduled can result in an increase in my monthly payment rate and/or referral of my case to the County Clerk's Office for collection. Should I fall behind in my monthly payment in an amount equal or greater than the amount payable for one month, the Department of Corrections may issue a Notice of Payroll Deduction. Without further notice, my employment earnings are subject to a Notice of Payroll Deduction and my earnings or property, or both, are subject to an Order to Withhold and Deliver. Any net proceeds obtained through either a Notice of Payroll Deduction or an Order to Withhold and Deliver will be applied to my court ordered financial obligations. (Not Applicable to FOS Cases)
- ☐ **Registration:** I have been advised and understand the registration requirements for offenders. I have signed DOC 07-023 Registration Notification.

Sign with Initials

I have read or have had read to me the foregoing conditions and sentence requirements which are applicable in my case. Each of these conditions/requirements have been explained to me and I hereby agree to comply with them.

Offender Signature <i>Refused to sign</i>	Date
Current Address	
CCO/Counselor Signature <i>[Signature]</i>	Date <i>10-21-13</i>
Location	Telephone

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

Distribution: CCI/CCP ONLY: ORIGINAL - Imaging System via local Records COPY - Offender, Field File
ALL OTHERS: ORIGINAL - Field File COPY - Offender

Washington State
Department of Corrections

OFFENDER CONDITION STATEMENT

Offender Name: Madsen, Kurt

DOC No.: 964228

Date: 11/21/2013

Assigned CCO: Bullard, Mary J

Assigned Facility: King Co. Admin Unit

As authorized by RCW 9.94A or 9.95 or 9.95.270 or 10.77, and DOC 390.600 Imposed Conditions, the following conditions have been imposed:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:

102487694, Do not have direct or indirect contact with any victim

Effective Date: 10/31/2013

Narrative: You shall not have direct or indirect contact with any victim.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:

102487693, Submit to a search of your person residence vehicle and possessions whenever requested by CCO

Effective Date: 10/31/2013

Narrative: You shall submit to a search of your person residence vehicle and possessions whenever requested by CCO.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:

102513769, Complete chemical dependency evaluation as directed and sign necessary releases of information

Effective Date: 11/21/2013

Narrative: You shall complete chemical dependency evaluation as directed and sign necessary releases of information.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668589, Report to and be available for contact with assigned community corrections officer as directed Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:

102513770, Complete mental health evaluation as directed and sign necessary release of information Effective Date: 11/21/2013

Narrative: You shall complete mental health evaluation as directed and sign necessary release of information

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:

102487692, Do not enter bars taverns/lounges Effective Date: 10/31/2013

Narrative: You shall not be in any place where alcoholic beverages are the primary sale item.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:

102487691, Home Visit Effective Date: 10/31/2013

Narrative: Must consent to allow Department home visits to monitor compliance with supervision. Home visits include access for purposes of visual inspection of all areas of the residence in which the offender lives or has exclusive or joint control/access.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:
102487690, Enter into and successfully participate in any DOC program as directed Effective Date: 10/31/2013

Narrative: Based on eligibility, enter and successfully complete identified interventions to assist you to improve your skills, relationships, and ability to stay crime free.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:
102487689, Do not use alcohol Effective Date: 10/31/2013

Narrative: You shall not use alcohol.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:
102487688, Do not use/possess/purchase/consume alcohol Effective Date: 10/31/2013

Narrative: You shall not possess alcohol.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: DOC Imposed

Condition Name:
102487470, Remain within or outside of geographical boundaries as specified Effective Date: 10/31/2013

Narrative: You may not travel south of Highway 518 or Interstate 405 without prior permission of the Department of Corrections.

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered
Condition Name:
102309140, Obey and comply with instruction Effective Date: 1/10/2012
Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered
Condition Name:
102309139, Abide by any DOC Conditions Effective Date: 1/10/2012
Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered
Condition Name:
101929061, Submit to DNA blood draw and testing as directed Effective Date: 1/10/2012
Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered
Condition Name:
101752615, Have no contact with specified businesses Effective Date: 3/20/2012
Narrative: Applebees & Inn Between Tavern in King County

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101752606, Pay all court ordered legal financial obligations and/or restitution as directed Effective Date: 1/10/2012
by CCO

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101752591, Remain within or outside of geographical boundaries as specified Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101752590, Notify CCO of any change in employment Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101752586, Advise CCO of change of address. Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668599, Do not have direct or indirect contact with any victim

Effective Date: 1/11/2012

Narrative: ALEJANDRO NUNEZ MIRANDA

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668598, Obtain permission from CCO before changing residence

Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668597, Do not purchase own have in your possession or under your control any firearm or deadly weapon

Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668596, Perform affirmative acts as ordered by court and/or Department of Corrections

Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668595, Pay cost of supervision fees to Department of Corrections as directed by CCO Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668594, Do not use/possess/consume any controlled substances without a lawfully issued prescription Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668593, You shall advise your CCO of any prescription medications. Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668592, Do not consume controlled substance except pursuant to lawfully issued prescriptions Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668591, Maintain lawful employment & provide proof of employment to DOC staff as directed Effective Date: 1/10/2012

Narrative:

Cause Prefix: AC Cause No: 111104083 County: King Imposing Authority: Court Ordered

Condition Name:

101668590, Maintain Educational

Effective Date: 1/10/2012

Narrative:

Lifetime Conditions:

I have read or have had read to me the foregoing conditions and sentence requirements which are applicable in my case. Each of these conditions/requirements has been explained to me and I hereby agree to comply with them.

In Ad. Seg/SCORE

Madsen, Kurt

DOC No. 964228

11/21/13

Date

Mary Bullard

CCO/CC

11/21/13

Date

Kathleen Johnson

CPM/Supervisor/Designee

11/21/13

Date

Copy left with offender in cell at SCORE



ORDER OF RELEASE

SECTION 1				
Offender's Name MADSEN, Kurt R.		DOC Number 964228	Facility MCC-WSR	
Date of Birth 3/4/1969	Earned Release Date 1/18/2013	Records Supervisor Ellen Winter, RMS		Date 5/17/2013
SID Number 13374022	Authorized/Actual Release 5/26/2013	TYPE OF RELEASE <input type="checkbox"/> 5288 W/SUPV <input type="checkbox"/> 5288 W/O SUPV <input type="checkbox"/> ICE <input type="checkbox"/> DET/WARRANT <input type="checkbox"/> EARLY DEPORTATION	<input checked="" type="checkbox"/> TSF TO CCI/CCP <input type="checkbox"/> MON <input checked="" type="checkbox"/> MAX <input type="checkbox"/> PRS/CCM <input type="checkbox"/> CCV	<input type="checkbox"/> CCJ <input type="checkbox"/> PAROLE <input type="checkbox"/> BOND <input type="checkbox"/> VACATED <input type="checkbox"/> CCB

The Department of Corrections, after carefully reviewing all available information, hereby releases the above named individual, an offender of a Washington State Correctional Facility.

SECTION 2	
RELEASE ADDRESS HOMELESS	EMERGENCY CONTACT: MUST BE COMPLETED Name Ladonna Arthur/Sister Address WA
Telephone (360) 886-0306	Telephone (253) 735-3211

I understand that I am still under supervision for the following cause(s) 111104083-King and must report to the designated Community Corrections Officer (CCO) no later than the next work day following my actual release date as noted above.

To CCO Fred Johnson (206) 516-7781		
Office Address 1550 - 4th Ave S	City, State Seattle, WA	Zip Code 98134

SECTION 3	
1. I understand that I owe Legal Financial Obligations and must contact the Clerk of the Court in the county/counties in which I owe Legal Financial Obligations. I have received a copy of DOC 02-243 5288/6162 Notice to Offender for the current Prison causes for which I owe Legal Financial Obligations.	Offender's Initials
2. (If applicable) I have been registered with the Department of Corrections and informed of the registration requirements with my county of residence. I have signed and received a copy of the DOC 07-023 Registration Notification	NA
3. Any detainer served by the ICE (Immigration Customs Enforcement) remains in effect. If the ICE detainer is dropped or if I return to the State of Washington, I will report no later than the next work day to the Pierce County Intake Unit; Deportation Specialist or Duty Officer at 755 Tacoma Ave. South, Tacoma, Washington 98402; Phone: 253-207-4700.	NA
4. I understand that, under the provision of the sentencing laws of the state of Washington, I am subject to the conditions and/or sentence requirements imposed by the court/ISRB. I also understand that if I am under the legal custody/supervision of the Department of Corrections, I must comply with all imposed conditions and instructions of the Department.	
5. If I am transferred to Community Custody and fail to report as ordered, I understand that escape charges may be filed against me.	

Offender's Name (Please Print) KURT R. MADSEN	Witness Date
Offender's Signature Refused To Sign	CRS/CCO) Kristin Humble 5-21-13 Date Attachments: Sandra J. Stein 5-21-13 DOC 07-023 Registration Notification (If appropriate) Order of Parole (If appropriate)

Distribution:
Imaging System
Offender

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

FILED

2012 JUL 23 PM 3:53

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

COPY TO COUNTY JAIL JUL 23 2012

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

Kurt Randall Madsen

Defendant,

No. 11-1-10468-3 KNT

JUDGMENT AND SENTENCE
FELONY (FJS) (Amended)

I. HEARING

I.1 The defendant, the defendant's lawyer, Pro Se, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were: Amy Bowles, standby counsel

II. FINDINGS

There being no reason why judgment should not be pronounced, the court finds:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on 12/16/2011 by plea/ jury verdict/ bench trial of

Count No.: I Crime: Assault in the Second Degree
RCW 9A.36.021 (1)(A)(C) Crime Code: 010400
Date of Crime: 9/22/2011 Incident No. _____

Count No.: II Crime: Malicious Harassment
RCW 9A.36.080 (1)(A)(B) or (C) Crime Code: 00494
Date of Crime: 9/22/2011 Incident No. _____

Count No.: _____ Crime: _____
RCW _____ Crime Code: _____
Date of Crime: _____ Incident No. _____

Count No.: _____ Crime: _____
RCW _____ Crime Code: _____
Date of Crime: _____ Incident No. _____

[] Additional current offenses are attached in Appendix A

SPECIAL VERDICT or FINDING(S):

- (a) ☐ While armed with a firearm in count(s) _____ RCW 9.94A.533(3).
 (b) ☐ While armed with a deadly weapon other than a firearm in count(s) _____ RCW 9.94A.533(4).
 (c) ☐ With a sexual motivation in count(s) _____ RCW 9.94A.835.
 (d) ☐ A V.U.C.S.A. offense committed in a protected zone in count(s) _____ RCW 69.50.435.
 (e) ☐ Vehicular homicide ☐ Violent traffic offense ☐ DUI ☐ Reckless ☐ Disregard.
 (f) ☐ Vehicular homicide by DUI with _____ prior conviction(s) for offense(s) defined in RCW 46.61.5055, RCW 9.94A.533(7).
 (g) ☐ Non-parental kidnapping or unlawful imprisonment with a minor victim. RCW 9A.44.128, 130.
 (h) ☐ Domestic violence as defined in RCW 10.99.020 was pled and proved for count(s) _____.
 (i) ☐ Current offenses encompassing the same criminal conduct in this cause are count(s) _____ RCW 9.94A.589(1)(a).
 (j) ☐ Aggravating circumstances as to count(s) _____:

2.2 OTHER CURRENT CONVICTION(S): Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): _____

2.3 CRIMINAL HISTORY: Prior convictions constituting criminal history for purposes of calculating the offender score are (RCW 9.94A.525):

☒ Criminal history is attached in Appendix B.

☐ One point added for offense(s) committed while under community placement for count(s) _____

2.4 SENTENCING DATA:

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Count	4	II	15-20 months		15-20 months	10 yrs and/or \$20,000
Count	3	II	13-17 months		13-17 months	5 yrs and/or \$10,000
Count						
Count						

☐ Additional current offense sentencing data is attached in Appendix C.

2.5 EXCEPTIONAL SENTENCE

☐ Findings of Fact and Conclusions of Law as to sentence above the standard range:

Finding of Fact: The jury found or the defendant stipulated to aggravating circumstances as to Count(s) _____.

Conclusion of Law: These aggravating circumstances constitute substantial and compelling reasons that justify a sentence above the standard range for Count(s) _____. ☐ The court would impose the same sentence on the basis of any one of the aggravating circumstances.

☐ An exceptional sentence above the standard range is imposed pursuant to RCW 9.94A.535(2) (including free crimes or the stipulation of the defendant). Findings of Fact and Conclusions of Law are attached in Appendix D.

☐ An exceptional sentence below the standard range is imposed. Findings of Fact and Conclusions of Law are attached in Appendix D.

The State ☐ did ☐ did not recommend a similar sentence (RCW 9.94A.480(4)).

III. JUDGMENT

IT IS ADJUDGED that defendant is guilty of the current offenses set forth in Section 2.1 above and Appendix A.

☐ The Court DISMISSES Count(s) _____.

IV. ORDER

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

4.1 RESTITUTION, VICTIM ASSESSMENT, AND DNA FEE:

☒ Defendant shall pay restitution to the Clerk of this Court as set forth in ~~attached Appendix E~~ *restitution order filed on July 10, 2012*

☐ Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.753(5), sets forth those circumstances in attached Appendix E.

☐ Restitution to be determined at future restitution hearing on (Date) _____ at _____ m.

☐ Date to be set.

☐ Defendant waives right to be present at future restitution hearing(s).

☐ Restitution is not ordered.

Defendant shall pay Victim Penalty Assessment in the amount of \$500 (RCW 7.68.035 - mandatory).

Defendant shall pay DNA collection fee in the amount of \$100 (RCW 43.43.7541 - mandatory).

4.2 OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this Court:

(a) ☐ \$ _____, Court costs (RCW 9.94A.030, RCW 10.01.160); ☒ Court costs are waived;

(b) ☐ \$ _____, Recoupment for attorney's fees to King County Public Defense Programs (RCW 9.94A.030); ☒ Recoupment is waived;

(c) ☐ \$ _____, Fine; ☐ \$1,000, Fine for VUCSA ☐ \$2,000, Fine for subsequent VUCSA (RCW 69.50.430); ☒ VUCSA fine waived;

(d) ☐ \$ _____, King County Interlocal Drug Fund (RCW 9.94A.030); ☒ Drug Fund payment is waived;

(e) ☐ \$ _____, \$100 State Crime Laboratory Fee (RCW 43.43.690); ☒ Laboratory fee waived;

(f) ☒ \$ _____, Incarceration costs (RCW 9.94A.760(2)); ☒ Incarceration costs waived;

(g) ☐ \$ _____, Other costs for: _____

4.3 PAYMENT SCHEDULE: The TOTAL FINANCIAL OBLIGATION set in this order is \$ 1000.00 + restitution

Restitution may be added in the future. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: ☐ Not less than \$ _____ per month;

☒ On a schedule established by the defendant's Community Corrections Officer or Department of Judicial Administration (DJA) Collections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090.

The Defendant shall remain under the Court's jurisdiction to assure payment of financial obligations: for crimes committed before 7/1/2000, for up to ten years from the date of sentence or release from total confinement, whichever is later; for crimes committed on or after 7/1/2000, until the obligation is completely satisfied. Pursuant to RCW 9.94A.7602, if the defendant is more than 30 days past due in payments, a notice of payroll deduction may be issued without further notice to the offender. Pursuant to RCW 9.94A.760(7)(b), the defendant shall report as directed by DJA and provide financial information as requested.

☒ Court Clerk's trust fees are waived.

☒ Interest is waived except with respect to restitution.

4.4 CONFINEMENT OVER ONE YEAR: Defendant is sentenced to a term of total confinement in the custody of the Department of Corrections as follows, commencing: ☒ immediately; ☐ (Date): _____ by _____ m.

20 months/days on count I; _____ months/days on count _____; _____ months/day on count _____

17 months/days on count II; _____ months/days on count _____; _____ months/day on count _____

The above terms for counts I + II are consecutive / concurrent.

The above terms shall run ☐ CONSECUTIVE ☐ CONCURRENT to cause No.(s) _____

The above terms shall run ☐ CONSECUTIVE ☐ CONCURRENT to any previously imposed sentence not referred to in this order.

☐ In addition to the above term(s) the court imposes the following mandatory terms of confinement for any special WEAPON finding(s) in section 2.1: _____

which term(s) shall run consecutive with each other and with all base term(s) above and terms in any other cause. (Use this section only for crimes committed after 6-10-98)

☐ The enhancement term(s) for any special WEAPON findings in section 2.1 is/are included within the term(s) imposed above. (Use this section when appropriate, but for crimes before 6-11-98 only, per In Re Charles)

The TOTAL of all terms imposed in this cause is _____ months.

Credit is given for ☐ _____ days served ☒ days as determined by the King County Jail, solely for confinement under this cause number pursuant to RCW 9.94A.505(6).

4.5 NO CONTACT: For the maximum term of 10 years, defendant shall have no contact with Alejandro Nunez-Meranda, Apples, Inn Between Tavern

4.6 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing, as ordered in APPENDIX G. - *Not required if already collected following original sentencing*

☐ HIV TESTING: For sex offense, prostitution offense, drug offense associated with the use of hypodermic needles, the defendant shall submit to HIV testing as ordered in APPENDIX G.

4.7 (a) ☐ COMMUNITY PLACEMENT pursuant to RCW 9.94A.700, for qualifying crimes committed before 7-1-2000, is ordered for _____ months or for the period of earned early release awarded pursuant to RCW 9.94A.728, whichever is longer. [24 months for any serious violent offense, vehicular homicide, vehicular assault, or sex offense prior to 6-6-96; 12 months for any assault 2°, assault of a child 2°, felony violation of RCW 69.50/52, any crime against person defined in RCW 9.94A.411 not otherwise described above.] APPENDIX H for Community Placement conditions is attached and incorporated herein.

(b) ☐ COMMUNITY CUSTODY pursuant to RCW 9.94.710 for any SEX OFFENSE committed after 6-5-96 but before 7-1-2000, is ordered for a period of 36 months or for the period of earned early release awarded under RCW 9.94A.728, whichever is longer. APPENDIX H for Community Custody Conditions and APPENDIX J for sex offender registration is attached and incorporated herein.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

KURT RANDALL MADSEN

Defendant,

No. 11-110408-3 KNT

JUDGMENT AND SENTENCE
APPENDIX H
COMMUNITY CUSTODY

The Defendant shall comply with the following conditions of community custody, effective as of the date of sentencing unless otherwise ordered by the court.

- 1) Report to and be available for contact with the assigned community corrections officer as directed;
- 2) Work at Department of Corrections-approved education, employment, and/or community restitution;
- 3) Not possess or consume controlled substances except pursuant to lawfully issued prescriptions;
- 4) Pay supervision fees as determined by the Department of Corrections;
- 5) Receive prior approval for living arrangements and residence location; and
- 6) Not own, use, or possess a firearm or ammunition. (RCW 9.94A.706)
- 7) Notify community corrections officer of any change in address or employment;
- 8) Upon request of the Department of Corrections, notify the Department of court-ordered treatment;
- 9) Remain within geographic boundaries, as set forth in writing by the Department of Corrections Officer or as set forth with SODA order.

☐ The defendant shall not consume any alcohol.

☐ Defendant shall have no contact with: _____

☐ Defendant shall remain ☐ within ☐ outside of a specified geographical boundary, to wit: _____

☐ The defendant shall participate in the following crime-related treatment or counseling services: _____

☐ The defendant shall comply with the following crime-related prohibitions: _____

☐ _____

☐ _____

Other conditions may be imposed by the court or Department during community custody.

Community Custody shall begin upon completion of the term(s) of confinement imposed herein, or at the time of sentencing if no term of confinement is ordered. The defendant shall remain under the supervision of the Department of Corrections and follow explicitly the instructions and conditions established by that agency. The Department may require the defendant to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants and/or detain defendants who violate a condition.

Date: 1-10-12


PO Mearak
JUDGE

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

I, WENDY STIGALL, being first duly sworn on oath, depose and say: that I am the Correctional Records Program Administrator, Department of Corrections; that I have read the foregoing Application for Requisition, know the contents thereof, and believe the same to be true.


I do further certify that I have carefully compared with the original the foregoing copies of the following sections of the Revised Code of Washington:

Section 9.94A.030 defining Definitions,
section 72.09.310 defining the crime of Community custody violator,
section 9A.36.021 defining the crime of Assault in the second degree, and find the same to be true and correct copies thereof, and further certify under and by virtue of the laws of the State of Washington, said crimes are felonies.



WENDY STIGALL
Correctional Records Program Administrator
Department of Corrections
State of Washington
Olympia, Washington

SUBSCRIBED AND SWORN to before me this 17th day of September, 2014.



DANIELLE HEDBLUM
NOTARY PUBLIC in and for the State of
Washington, residing at Olympia,
Thurston County, Washington

Expiration Date: September 14, 2016

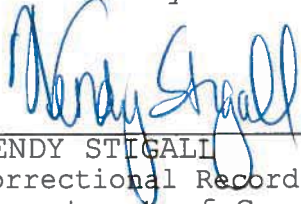


I, WENDY STIGALL, hereby certify that I am the Correctional Records Program Administrator, Department of Corrections, of the State of Washington, Olympia, Washington. That in my legal custody as such officer are certain of the original files and records of persons heretofore committed to the Washington Corrections Center, situated in Mason County, and to Stafford Creek Corrections Center, situated in Grays Harbor County, and to Monroe Correctional Complex, situated in Snohomish County. That the documents attached hereto:

1. Judgment and Sentence
2. Judgment and Sentence (Amended)
3. Felony Warrant of Transfer to the Department of Corrections Pending Appeal
4. Fingerprint Card
5. Photograph
6. Order of Release
7. Conditions, Requirements and Instructions
8. Report of Alleged Violation with Supplemental Reports
9. Secretary's Warrant

are authentic copies of the original records of **MADSEN, KURT RANDALL/MADSEN, KURT RANDAL/MADSEN, KURT RANDELL/MADSEN, TROY/MADSEN, JURT RONAL/MADSEN, TROY S/MADSEN, TROY RANDAL/MADSEN, KURT RONDAL/MADSEN, TROY R/MADSEN, KURT R**, a person theretofore committed to said penal institutions set forth in the above Application for Requisition and who served terms of imprisonment therein.

IN WITNESS whereof I have hereunto set my hand this 17th day of September, 2014.



WENDY STIGALL
Correctional Records Program Administrator
Department of Corrections
State of Washington
Olympia, Washington

Community custody violator.

An inmate in community custody who willfully discontinues making himself or herself available to the department for supervision by making his or her whereabouts unknown or by failing to maintain contact with the department as directed by the community corrections officer shall be deemed an escapee and fugitive from justice, and upon conviction shall be guilty of a class C felony under chapter 9A.20 RCW.

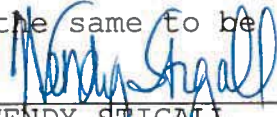
[1992 c 75 § 6; 1988 c 153 § 6.]

Notes:

Effective date -- Application of increased sanctions -- 1988 c 153: See notes following RCW 9.94A.030.


STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

WENDY STIGALL, being first duly sworn on oath, deposes and says: That she is the Correctional Records Program Administrator, Department of Corrections; that she has read the foregoing certification knows the contents thereof, and believes the same to be true.



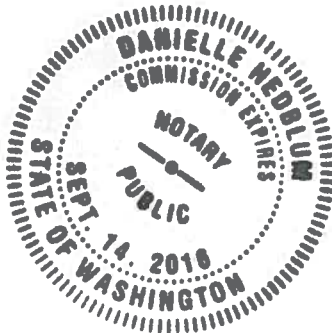
WENDY STIGALL
Correctional Records Program Administrator
Department of Corrections
State of Washington
Olympia, Washington

SUBSCRIBED AND SWORN to before me this 17th day of September, 2014.



DANIELLE HEDBLUM
NOTARY PUBLIC in and for the State of
Washington, residing at Olympia,
Thurston County, Washington

Expiration Date: September 14, 2016



STATE OF WASHINGTON

Secretary of State

I, KIM WYMAN, Secretary of State of the State of Washington, or KEN RASKE, Assistant Secretary of State of the State of Washington do hereby certify that BARBARA MINER, Clerk of the Superior Court of King County, whose name appears on the certificate of this requisition, was at the time of said subscription the duly qualified Clerk of the Superior Court thereof; and that BARBARA MACK, Judge of King County, and whose name appears on the certificate annexed to this requisition, was at the time of said subscription the duly elected, qualified Judge of the Superior Court of the State of Washington, in and for the County of King; and that WENDY STIGALL, whose name appears on the certificates annexed to this requisition, was at the time of said subscription a duly appointed, qualified Correctional Records Program Administrator, Department of Corrections, of the State of Washington; and that full faith and credit are due to their official acts as such. I further certify that DANIELLE HEDBLUM, whose name is subscribed to the foregoing verifications, proofs, or affidavits, was at the time of taking said verifications, proofs, or affidavits, a Notary Public duly commissioned and sworn and residing in said county and was, as such, an officer of said state, duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgement of deeds and other instruments in writing to be recorded in said state, and that full faith and credit are and ought to be given to her official acts.

WITNESS MY hand and the Great Seal of
the State of Washington, at my office
in Olympia, this 24th day of September
, 2014.



KIM WYMANSecretary of State
State of Washington

KEN RASKEAssistant Secretary of State
State of Washington

STATE OF WASHINGTON
Office of the Governor

August 14, 2014

RECEIVED

AUG 18 2014

CHAMBERS OF
CHIEF JUDGE LEE F. SATTERFIELD

Ranie Brant, Esq.
Special Counsel to Judge Satterfield
Superior Court of the District of Columbia
500 Indiana Avenue NW, Room 3500
Washington, DC 20001-2131

Dear Ms. Brant:

At the request of Governor Inslee, I am enclosing an extradition requisition for the return to the State of Washington of

**KURT RANDALL MADSEN aka KURT RANDAL MADSEN aka KURT RANDELL
MADSEN aka TROY MADSEN aka JURT RONAL MADSEN aka TROY S. MADSEN
aka TROY RANDAL MADSEN aka KURT RONDAL MADSEN aka TROY R. MADSEN
aka KURT R. MADSEN**

If this requisition is honored by you, please forward the necessary papers and the agent's appointment to: authorities Metropolitan Jail, Washington, DC, requesting that notification be forwarded to:

Patty Jordan
Records Management Supervisor
Department of Corrections
PO Box 41132
Olympia, WA 98504
(360) 725-8866

RECEIVED

AUG 22 2014

Office of the Governor

when the fugitive is available for release to the Washington agent.

Sincerely,


For

Susan M. Beatty
Legal Affairs Coordinator

Enclosures

cc: Patty Jordan



EXHIBIT 10

PAGE #: 19

KENT COURTHOUSE
KING COUNTY SUPERIOR COURT
CRIMINAL TRIAL CALENDAR CALENDAR DATE: 12/05/2011

JUDGE: MARY ROBERTS

COURT CLERK: LESLIE KEITH

COURT REPORTER DRGA

CASE NO: 11-1-10408-3 KNT

DEFENDANT: MADSEN, KURT RANDALL

TRUE NAME:

CCN: 1332069

EXP: 12-10-11

DPA: KING COUNTY, PROSECUTING ATT

ATD: BOWLES, AMY R

2066248105

CO-DEFENDANTS:

CHARGE: ASSAULT 2, MAL HARASSMENT

ARR DATE: 10/11/2011

LOC: *IN*

PREASSIGNED JDG MACK

ORIGINAL TRIAL DATE: 12/05/2011

COMMENCE DATE: 10-11-11

TRIAL SET EXP: 12-10-11

MOTION JUDGE #: HON. 037

AFFIDAVIT:

ACTION:

HOLD TO _____

5-DAY EXTENSION TO _____

CONT - CONTINUED TO _____

60/90 WAIVER TO _____

ASSIGNED TO JUDGE Mack

PLEA - SENT TO _____

STRIKE

BEN - BENCH WARRANT TO BE ISSUED

DSMRG - ORDER OF DISMISSAL

ORDER SIGNED/ORDER TO BE PRESENTED

1 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

2 IN AND FOR THE COUNTY OF KING

3

4 STATE OF WASHINGTON,)

5 Plaintiff,) Cause No. 11-1-10408-3 KNT

6 vs.)

7 KURT RANDALL MADSEN,)

8 Defendant.)

EXHIBIT 10

9

October 25, 2011

10

December 5, 2011

11

12

13

14

15

16

17

18

19

20

21

22 TRANSCRIBED BY: Debra Kallgren, CETD

23 Reed Jackson Watkins

24 Court-Certified Transcription

25 206.624.3005

4 FEMALE SPEAKER: Parties ready on Madsen?

5 FEMALE SPEAKER: Yes.

6 MALE SPEAKER: Are we crossing -- are we skipping that
7 case?

8 FEMALE SPEAKER: We need more time to (inaudible).

9 THE COURT: The Madsen matter.

10 MALE SPEAKER: Can we do Ray?

11 FEMALE SPEAKER: Oh, sure.

12 (October 25, 2011 proceedings were adjourned.)
13

14 DECEMBER 5, 2011 PROCEEDINGS
15

16 THE COURT: This is the trial calendar for the 6th of
17 December. Number 15, State versus Madsen.

18 What are we doing on Madsen?

19 FEMALE SPEAKER: It's on the record.

20 THE COURT: Omnibus tomorrow morning?

21 FEMALE SPEAKER: No. It's on the record based
22 (inaudible).

23 THE COURT: Okay.

24 FEMALE SPEAKER: (Inaudible).

25 THE COURT: And (inaudible). Anything else?

WHAT THE #\$\$@!

EXHIBIT 10

Amy Bowles (ACA)~~USCA Case #15-5192 Document #1561872 Filed: 07/10/2015 Page 88 of 94~~

From: Winter, Barbara [Barbara.Winter@kingcounty.gov]
Sent: Friday, December 02, 2011 4:06 PM
To: Amy Bowles (ACA)
Subject: RE: Kurt Madsen - motion GA 12/5

Judge Mack will enter a drag order on Monday if he refuses and the trial will remain with her.

-----Original Message-----

From: Bowles, Amy-acapd.org
Sent: Friday, December 02, 2011 3:52 PM
To: Winter, Barbara; Taylor, Jerry
Subject: Kurt Madsen - motion GA 12/5
Importance: High

We are in omnibus right now in Judge Mack's court. Mr. Madsen is settle trial 12/5 @ 9 am. Mr. Madsen will not appear before Judge Mack. He's requesting a motion hearing Monday at 8:30 a.m. before trial to ask Judge Roberts to remove Judge Mack from his case.

EXHIBIT 10

SOMEONE ERASED NOTATIONS

**Network Access Message: The page cannot be displayed**

Explanation: The request timed out before the page could be retrieved.

Try the following:

- **Refresh page:** Search for the page again by clicking the Refresh button. The timeout may have occurred due to Internet congestion.
- **Check spelling:** Check that you typed the Web page address correctly. The address may have been mistyped.
- **Contact website:** You may want to contact the website administrator to make sure the Web page still exists. You can do this by using the e-mail address or phone number listed on the website home page.

If you are still not able to view the requested page, try contacting your administrator or Helpdesk.

Technical Information (for support personnel)

- Error Code 10060: Connection timeout
- Background: The gateway could not receive a timely response from the website you are trying to access. This might indicate that the network is congested, or that the website is experiencing technical difficulties.
- Date: 11/29/2011 12:41:42 AM [GMT]
- Server: IGFKSC1.kc.kingcounty.lcl
- Source: Firewall

ABRIDGED ACCESS TO COURTS SERVER BY DEFENDANTS

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KURT MADSEN,

Petitioner,

v.

WILLIAM SMITH,

Respondent.

Civil Action No. 14-1716 (RMC)

MEMORANDUM AND ORDER

On December 10, 2014, the respondent filed a motion to dismiss the petitioner's petition for a writ of habeas corpus. The respondent argued that the petitioner had been arrested in the District of Columbia on a fugitive charge that had been resolved, and that petitioner's challenge to the legality of his State-court conviction should be dismissed or transferred. Notwithstanding the Court's January 5, 2015 Order advising the petitioner of the consequences if he failed to file a response to the motion by February 5, 2015, the petitioner did not file an opposition or a request for additional time to do so. On February 20, 2015, the Court denied the petition for a writ of habeas corpus and dismissed this action without prejudice. *See Madsen v. Smith*, No. 14-1716, 2015 WL 739511 (D.D.C. Feb. 20, 2015).

Now before the Court is petitioner's Motion for Reconsideration and Withdraw [sic] of Dismissal, Affidavit, Request for Service of USA, and Change of Address. The Court treats the

petitioner's motion as one to alter or amend judgment under Rule 59(e) of the Federal Rules of Civil Procedure and to reopen this case.¹

"A Rule 59(e) motion is discretionary and need not be granted unless the district court finds that there is an 'intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.'" *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996) (citation and internal quotation marks omitted). None of these circumstances is evident, and the petitioner's motion merely recounts petitioner's arrest, detention at the D.C. Jail, extradition to the State of Washington, and proceedings in the Washington courts.

Insofar as petitioner brings this habeas action under 28 U.S.C. § 2241, he may not proceed in this forum. This "district court may not entertain a habeas petition involving present physical custody unless the respondent custodian is within its territorial jurisdiction," *Stokes v. U.S. Parole Comm'n*, 374 F.3d 1235, 1239 (D.C. Cir. 2004), and neither the petitioner nor his current custodian is located in the District of Columbia. Furthermore, because the petitioner has been returned to the State of Washington, any matter pertaining to his custody in the District of Columbia is moot.

Accordingly, it is hereby

ORDERED that the petitioner's motion for reconsideration, as well as his requests to reopen this action and to serve the respondent, are **DENIED**.

¹ "A motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment." Fed. R. Civ. P. 59(e). The petitioner signed his motion for reconsideration on March 20, 2015, or 28 days after entry of the February 20, 2015 Order. The Court therefore treats the motion as if it were filed on March 20, 2015.

SO ORDERED.

Date: May 7, 2015

/s/

ROSEMARY M. COLLYER
United States District Judge

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KURT MADSEN,

Petitioner,

v.

WILLIAM SMITH,

Respondent.

Civil Action No. 14-1716 (RMC)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that Order Directing Respondent to Show Cause [Dkt. 3] is

DISCHARGED; it is further

ORDERED that the United States' Motion to Dismiss Petitioner's Petition for a Writ of Habeas Corpus [Dkt. 8] is **GRANTED** as conceded; it is further

ORDERED that the Petition for a Writ of Habeas Corpus [Dkt. 1] is **DENIED**; it is further

ORDERED that this civil action is **DISMISSED** without prejudice; and it is further

ORDERED that the Clerk of Court shall mail a copy of this Order to Kurt Madsen, c/o Bread of Life Mission, 97 South Main Street, Seattle, Washington, 98104.

Date: February 20, 2015

/s/
ROSEMARY M. COLLYER
United States District Judge

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KURT MADSEN,

Petitioner,

v.

WILLIAM SMITH,

Respondent.

Civil Action No. 14-1716 (RMC)

MEMORANDUM OPINION

On December 10, 2014, the United States of America, by counsel, filed a motion to dismiss the petition for a writ of habeas corpus [Dkt. 8]. In its January 5, 2015 Order, the Court advised Petitioner of his obligations under the Federal Rules of Civil Procedure and the local rules of this Court to respond to the motion. Specifically, the Order warned Petitioner that, if he failed to file an opposition or other response to the motion by February 6, 2015, the Court would treat the motion as conceded, summarily deny the petition and dismiss the case. To date, Petitioner has not filed an opposition, requested more time to file an opposition, or advised the Court of any change of address. The Court, therefore, will grant Respondent's motion as conceded and will dismiss the case without prejudice.

An Order is issued separately.

Date: February 20, 2015

/s/
ROSEMARY M. COLLYER
United States District Judge